
ILLINOIS

REGISTER



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INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State Statute; and activities (meeting agendas; Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State Agencies; is also published in the Register.

The Register is a weekly update of the Illinois Administrative Code (a compilation of the rules adopted by State agencies). The most recent edition of the Code, along with the Register, comprise the most current accounting of State agencies' rulemakings.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1, et seq.].

ILLINOIS REGISTER PUBLICATION SCHEDULE FOR 2025

Issue#	Rules Due Date	Date of Issue
1	December 23, 2024	January 3, 2025
2	December 30, 2024	January 10, 2025
3	January 6, 2025	January 17, 2025
4	January 13, 2025	January 24, 2025
5	January 21, 2025	January 31, 2025
6	January 27, 2025	February 7, 2025
7	February 3, 2025	February 14, 2025
8	February 10, 2025	February 21, 2025
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10	February 24, 2025	March 7, 2025
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15	March 31, 2025	April 11, 2025
16	April 7, 2025	April 18, 2025
17	April 14, 2025	April 25, 2025
18	April 21, 2025	May 2, 2025
19	April 28, 2025	May 9, 2025
20	May 5, 2025	May 16, 2025
21	May 12, 2025	May 23, 2025

22	May 19, 2025	May 30, 2025
23	May 27, 2025	June 6, 2025
24	June 2, 2025	June 13, 2025
25	June 9, 2025	June 20, 2025
26	June 16, 2025	June 27, 2025
27	June 23, 2025	July 7, 2025
28	June 30, 2025	July 11, 2025
29	July 7, 2025	July 18, 2025
30	July 14, 2025	July 25, 2025
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32	July 28, 2025	August 8, 2025
33	August 4, 2025	August 15, 2025
34	August 11, 2025	August 22, 2025
35	August 18, 2025	August 29, 2025
36	August 25, 2025	September 5, 2025
37	September 2, 2025	September 12, 2025
38	September 8 2025	September 19, 2025
39	September 15, 2025	September 26, 2025
40	September 22, 2025	October 3, 2025
41	September 29, 2025	October 10, 2025
42	October 6, 2025	October 17, 2025
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44	October 20, 2025	October 31, 2025
45	October 27, 2025	November 7, 2025
46	November 3, 2025	November 14, 2025
47	November 10, 2025	November 21, 2025
48	November 17, 2025	December 1, 2025
49	November 24, 2025	December 5, 2025
50	December 1, 2025	December 12, 2025
51	December 8 2025	December 19, 2025
52	December 15, 2025	December 26, 2025

ILLINOIS DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Cannabis Regulation and Tax Act
- 2) Code Citation: 8 Ill. Adm. Code 1300
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
1300.10	Amendment
1300.30	Amendment
1300.40	Amendment
1300.115	Amendment
1300.130	Amendment
1300.170	Amendment
1300.185	Amendment
1300.220	Amendment
1300.315	Amendment
1300.320	Amendment
1300.330	Amendment
1300.370	Amendment
1300.385	Amendment
1300.415	Amendment
1300.420	Amendment
1300.430	Amendment
1300.470	Amendment
1300.485	Amendment
1300.490	New Section
1300.540	Amendment
1300.596	New Section
1300.700	Amendment
1300.900	Amendment
1300.910	Amendment
1300.930	Amendment
1300.1000	New Section
1300.1010	New Section
1300.1020	New Section
1300.1030	New Section
1300.1040	New Section
1300.1050	New Section
- 4) Statutory Authority: Implementing and authorized by the Cannabis Regulation and Tax Act [410 ILCS 705].

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NOTICE OF PROPOSED AMENDMENTS

- 5) A Complete Description of the Subjects and Issues Involved: This proposed rule includes the following provisions:
- Updates Seed to Sale Inventory Tracking Provisions
 - Activates Processor licenses for Infusers
 - Reduces Security camera storage requirements from 180 to 90 days
 - Simplifies and reduces the fee for license modifications and alterations
 - Reduces product registration fee from \$100 to \$25
 - Implements a 2 year pause in renewal fees for craft growers and infusers
 - Reduces principal officer fee from \$1,000 to \$100
 - Imposes requirements for transporter product transfer sites
 - Clarifies the CBD input policy
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or enlarge any State mandate.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: A 45-day written comment period will begin on the day the Notice of

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NOTICE OF PROPOSED AMENDMENTS

Proposed Amendments appears in the *Illinois Register*. Please mail or email written comments on the proposed rulemaking to the attention of:

Sam McGee
Illinois Department of Agriculture
State Fairgrounds, P. O. Box 19281
Springfield, IL 62794-9281

(217) 558-3741
Samuel.McGee@illinois.gov

Interested Parties may also provide comment via public hearing on October 20, 2025, at 1pm at:

Illinois Department of Agriculture
John R Block Building Auditorium
State Fairgrounds
801 E Sangamon Avenue
Springfield, IL 62794

13) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: State-licensed cannabis cultivation centers, craft growers, infusers, and transporters are impacted.
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None

14) Small Business Impact Analysis: Yes – This rule will reduce a fee imposed on small businesses.

- A) Types of businesses subject to the proposed rule:
 - 11 Agriculture, Forestry, Fishing, and Hunting
- B) Categories that the agency reasonably believes the rulemaking will impact, including:

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NOTICE OF PROPOSED AMENDMENTS

- ii. regulatory requirements;
- v. licensing fees;
- viii. recordkeeping

15) Regulatory Agenda on which this rulemaking was summarized: July 2025

The full text of the Proposed Amendments begins on the next page:

ILLINOIS DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: ILLINOIS DEPARTMENT OF AGRICULTURE
SUBCHAPTER v: LICENSING AND REGULATIONSPART 1300
CANNABIS REGULATION AND TAX ACT

SUBPART A: GENERAL PROVISIONS

Section	
1300.10	Definitions and Incorporations
1300.20	Referenced Materials
1300.30	Scope and Application
1300.40	Operation of a Cannabis Business Establishment

SUBPART B: ADULT USE CULTIVATION CENTERS

Section	
1300.100	Application, Selection, and Operation of Early Adult Use Cultivation Center License
1300.102	Application for Conditional Adult Use Cultivation Center License
1300.103	Financial Disclosure
1300.105	License Selection Criteria
1300.110	License Denial and Prohibitions
1300.115	License Award, Issuance and Transferability
1300.120	License Renewal
1300.130	Modifications and Alterations
1300.145	Background Check
1300.150	Specifications
1300.155	Records
1300.160	Signage
1300.165	Agents and Identification Cards
1300.170	Operations – Plant Production
1300.175	Operations – Infused or Processed Products
1300.180	Inventory
1300.185	Security
1300.195	Transportation

SUBPART C: COMMUNITY COLLEGE

ILLINOIS DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

CANNABIS VOCATIONAL PILOT PROGRAM

Section

1300.200	Definitions
1300.202	License Application
1300.205	License Selection Criteria
1300.215	License Transferability
1300.220	License Renewal
1300.230	Modifications and Alterations
1300.235	License Awards and Denials
1300.245	Agents and Identification Cards
1300.265	Background Check
1300.275	Program Operations
1300.280	Enforcement
1300.295	Requests for Information

SUBPART D: CRAFT GROWERS

Section

1300.300	License Application
1300.305	Financial Disclosure
1300.307	License Selection Criteria
1300.310	License Denial and Prohibitions
1300.315	License Award, Issuance and Transferability
1300.320	License Renewal
1300.330	Modifications and Alterations
1300.335	Canopy Modification
1300.345	Background Check
1300.350	Specifications
1300.355	Records
1300.360	Signage
1300.365	Agents and Identification Cards
1300.370	Operations – Plant Production
1300.375	Operations – Infused or Processed Products
1300.380	Inventory
1300.385	Security
1300.395	Transportation

SUBPART E: INFUSERS

ILLINOIS DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

Section

1300.400	License Application
1300.405	Financial Disclosure
1300.407	License Selection Criteria
1300.410	License Denial and Prohibitions
1300.415	License Award, Issuance and Transferability
1300.420	License Renewal
1300.430	Modifications and Alterations
1300.445	Background Check
1300.450	Specifications
1300.455	Records
1300.460	Signage
1300.465	Agents and Identification Cards
1300.470	Operations – General Requirements
1300.475	Operations – Infused Products
1300.480	Inventory
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1300.490	Processor License
1300.495	Transportation

SUBPART F: TRANSPORTERS

Section

1300.500	License Requirements
1300.510	License Application
1300.520	License Selection Criteria
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1300.550	License Renewal
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SUBPART G: ENFORCEMENT AND IMMUNITIES

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Section

1300.600	Investigations
1300.610	License Suspension
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1300.630	Fines
1300.640	Administrative Hearings
1300.650	Petition for Rehearing

SUBPART H: LABORATORY TESTING

Section

1300.700	Laboratory Testing
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SUBPART I: DESTRUCTION OF CANNABIS

Section

1300.800	Scope
1300.810	Notice to the Department
1300.820	Method of Destruction
1300.830	Records
1300.840	Disposal

SUBPART J: CANNABIS PACKAGING AND LABELING

Section

1300.900	Registration
1300.910	Registration Fee
1300.920	Container and Packaging Requirements
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1300.940	Warnings

SUBPART K: CANNABIS PLANT MONITORING SYSTEMSection

<u>1300.1000</u>	<u>General Requirements</u>
<u>1300.1010</u>	<u>Tag Requirements</u>
<u>1300.1020</u>	<u>Tagging of Cannabis Plants and Products</u>
<u>1300.1030</u>	<u>Reporting</u>
<u>1300.1040</u>	<u>Transfer of Cannabis and Cannabis Products</u>

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1300.1050 Loss of Access and System Reconciliation

1300.APPENDIX A Authorized Pesticides

AUTHORITY: Implementing and authorized by the Cannabis Regulation and Tax Act [410 ILCS 705].

SOURCE: Emergency rules adopted at 44 Ill. Reg. 1466, effective January 1, 2020, for a maximum of 180 days; emergency amendment to emergency rule at 44 Ill. Reg. 8349, effective April 30, 2020, for the remainder of the 180 days; adopted at 44 Ill. Reg. 10364, effective June 3, 2020; expedited correction at 44 Ill. Reg. 16943, effective June 3, 2020; amended at 48 Ill. Reg. 1862, effective January 22, 2024; amended at 48 Ill. Reg. 11942, effective July 29, 2024; amended at 49 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 1300.10 Definitions and Incorporations

Definitions for this Part can be located in Section 10 of the Cannabis Regulation and Tax Act [410 ILCS 705]. The following definitions shall also apply to this Part:

"Act" means the Cannabis Regulation and Tax Act [410 ILCS 705].

"Adult Use Cultivation Center License" means a license issued by the Department of Agriculture that licenses a person to act as a cultivation center under the Act and any administrative rule made in furtherance of the Act. [410 ILCS 705/1-10]

"Advertise" means to engage in promotional activities including, but not limited to: newspaper, radio, Internet and electronic media, and television advertising; the distribution of fliers and circulars; and the display of window and interior signs. [410 ILCS 705/1-10]

"Alarm System" means a device or series of devices intended to summon law enforcement personnel during, or as a result of, an alarm condition. Devices may include hard-wired systems and systems interconnected with a radio frequency method such as cellular or private radio signals that emit or transmit a remote or local audible, visual or electronic signal; motion detectors, pressure switches, duress alarms (a silent system signal generated by the entry of a designated code into the arming station to indicate that the user is disarming under duress); panic

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NOTICE OF PROPOSED AMENDMENTS

alarms (an audible system signal to indicate an emergency situation); and hold-up alarms (a silent system signal to indicate that a robbery is in progress). The Department and law enforcement agencies shall have the ability to access a cultivation center's security alarm system in real-time.

"Alterations" means a permanent change to the use of space, activities, security plan, or processes within a cannabis business establishment that affects how cannabis is produced, handled, or stored, but does not alter the building's physical layout, structural features, or the function or capacity of mechanical, electrical, or other building~~non-cosmetic changes in activities or processes at a cultivation center, or changes in production, handling or storage of the product mix, that do not modify the functions of facility structures or~~ systems.

"Applicant" means the proposed licensee name as stated on the license application.

"Area Zoned for Residential Use" means an area zoned exclusively for residential use; provided that, in municipalities with a population over 2,000,000 people, an "area zoned for residential use" means an area zoned as a residential district or a residential planned development. An area that allows non-residential uses shall not be considered an area zoned exclusively for residential use.

"Batch" means a specific quantity of homogeneous cannabis or cannabis product that is one of the following types:

"Plant Batch" means a grouping of immature plants.

"Harvest Batch" means a specifically identified quantity of dried flower or trim, leaves, and other cannabis plant matter that is harvested at the same time.

"Production Batch" means either:

An amount of cannabis concentrate or extract produced in one production cycle using the same extraction methods and standard operating procedures; or

An amount of a type of cannabis product produced in one production cycle using the same formulation and standard

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operating procedures. Each production batch shall be assigned a unique identifier for the purpose of tracking, quality control, testing, labeling, and potential recalls, and shall be traceable to one or more Harvest Batches.~~the established segregation of a group of plants at the time of planting for the control of quantity, traceability and/or strain. A batch number will be assigned at the time of planting for a specified number of plants.~~

~~"Batch Number" means a unique numeric or alphanumeric identifier assigned to a batch by a cultivation center when the batch is first planted.~~

"Biosecurity" means a set of preventative measures designed to reduce the risk of transmission of infectious diseases in crops, quarantined pests, invasive alien species, and living modified organisms.

"Cannabinoid" means any chemical compound that interacts with the human endocannabinoid system and is structurally related to the class of molecules known as phytocannabinoids, including, but not limited to, tetrahydrocannabinols, cannabidiols, cannabinoids, cannabigerols, their acids, isomers, analogs, salts, and derivatives, regardless of source or method of production.

"Cannabis" means marijuana, hashish, and other substances that are identified as including any parts of the plant Cannabis sativa and including derivatives or subspecies, such as indica, of all strains of cannabis, whether growing or not; the seeds of that plant; the resin extracted from any part of the plant; and any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other naturally produced cannabinol derivatives, whether produced directly or indirectly by extraction; however, "cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted from it), fiber, oil or cake, or the sterilized seed of the plant that is incapable of germination. "Cannabis" does not include industrial hemp as defined and authorized under the Industrial Hemp Act. "Cannabis" also means cannabis flower, concentrate and cannabis-infused products. [410 ILCS 705/1-10]

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"Cannabis Business Establishment" means a cultivation center, craft grower, infuser, dispensing organization, or transporter. [410 ILCS 705/1-10]

"Cannabis Concentrate" means a product derived from cannabis that is produced by extracting cannabinoids, including tetrahydrocannabinol (THC), from the plant through the use of propylene glycol, glycerin, butter, olive oil, or other typical cooking fats; water, ice, or dry ice; or butane, propane, CO₂, ethanol, or isopropanol and with the intended use of smoking or making a cannabis-infused product. The use of any other solvent is expressly prohibited unless, and until, it is approved by the Department of Agriculture. [410 ILCS 705/1-10]

"Cannabis Container" means a sealed, traceable container or package used for the purpose of containment of cannabis or cannabis-infused product during transportation. [410 ILCS 705/1-10]

"Cannabis-infused Product" means a beverage, food, oil, ointment, tincture, topical formulation, or another product containing cannabis that is not intended to be smoked. [410 ILCS 705/1-10]

"Cannabis Plant Monitoring System" or "Plant Monitoring System" means a system that includes, but is not limited to, testing and data collection established and maintained by the cultivation center, craft grower, or processing organization and that is available to the Department of Revenue, the Department of Agriculture, the Department of Financial and Professional Regulation, and the Illinois State Police for the purposes of documenting each cannabis plant and monitoring plant development throughout the life cycle of a cannabis plant cultivated for the intended use by a customer from seed planting to final packaging. [410 ILCS 705/1-10]

"Cannabis Product" means a product containing ~~medical or adult use~~ cannabis ~~either in a physical form or infused with an extracted resin~~.

"Cannabis Waste" means all cannabis byproduct, scrap, harvested cannabis, and cannabis-infused products not intended for distribution to a dispensing organization.

"Canopy Space" means the surface area utilized to produce mature plants calculated in square feet and measured using the outside boundaries of any area that includes mature marijuana plants, including all the space within the

ILLINOIS DEPARTMENT OF AGRICULTURE

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boundaries. The square footage of canopy space is measured horizontally starting from the outermost point of the furthest mature flowering plant in a designated growing space and continuing around the outside of all mature flowering plants located within the designated growing space. If growing spaces are stacked vertically, each level of space shall be measured and included as part of the total canopy space measurement.

"Community College Cannabis Vocational Training Pilot Program Faculty Participant" means a person who is 21 years of age or older, licensed by the Department of Agriculture, and employed or contracted by an Illinois community college to provide student instruction using cannabis plants at an Illinois Community College. [410 ILCS 705/1-10]

"Conditional Adult Use Cultivation Center License" or "CAUCCL" means a license awarded to top-scoring applicants for an Adult Use Cultivation Organization License that reserves the right to an Adult Use Cultivation Center License if the applicant meets certain criteria set forth in this Part. [410 ILCS 705/1-10] A Conditional Adult Use Cultivation Center Licensee or applicant may also be referred to as a "cultivation center".

"Craft Grower" means a facility operated by an organization or business that is licensed by the Department to cultivate, dry, cure, and package cannabis and perform other necessary activities to make cannabis available for sale, at a dispensing organization, or use, at an infuser. A craft grower may contain up to 5,000 square feet of canopy space on its premises for plants in the flowering state. The Department may authorize an increase or decrease of flowering stage cultivation space in increments of 3,000 square feet by rule based on market need, craft grower capacity, and the licensee's history of compliance or noncompliance, with a maximum space of 14,000 square feet for cultivating plants in the flowering stage, which must be cultivated in all stages of growth in an enclosed and secure area. A craft grower may share premises with an infuser or a dispensing organization, or both, provided each licensee stores currency and cannabis or cannabis-infused products in a separate secured vault to which the other licensee does not have access or all licensees sharing a vault share more than 50% of the same ownership. [410 ILCS 705/1-10]

"Craft Grower Agent" means a principal officer, board member, employee, or other agent of a craft grower who is 21 ~~years~~^{year} of age or older. [410 ILCS 705/1-10]

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"Crop Input" means any substance that is used for the production of adult use cannabis. This may include pesticides as defined by the Illinois Pesticide Act or the American Association of Pesticide Control Officials, fertilizers as defined by the Illinois Fertilizer Act of 1961 or the American Association of Plant Food Officials, and soil amendments as defined by the Soil Amendment Act.

"Cultivation Center" means a facility operated by an organization or business that is licensed by the Department to cultivate, process, transport (unless otherwise limited by the Act), and perform other necessary activities to provide cannabis and cannabis-infused products to cannabis business establishments. [410 ILCS 705/1-10]

"Cultivation Center Agent" means a principal officer, board member, employee, or other agent of a cultivation center who is 21 years of age or older. [410 ILCS 705/1-10]

"Department" means the Illinois Department of Agriculture.

"DFPR" means the Illinois Department of Financial and Professional Regulation.

"Director of Agriculture" or "Director" means the Director of the Illinois Department of Agriculture.

"Disproportionately Impacted Area" means a census tract or comparable geographic area that satisfies the following criteria as determined by the Department of Commerce and Economic Opportunity, that:

Meets at least one of the following criteria:

The area has a poverty rate of at least 20% according to the latest federal decennial census;

75% or more of the children in the area participate in the federal free lunch program according to reported statistics from the State Board of Education;

At least 20% of the households in the area receive assistance under the Supplemental Nutrition Assistance Program; or

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The area has an average unemployment rate, as determined by the Illinois Department of Employment Security, that is more than 120% of the national unemployment average, as determined by the United States Department of Labor, for a period of at least 2 consecutive calendar years preceding the date of the application; and

Has high rates of arrest, conviction, and incarceration related to the sale, possession, use, cultivation, manufacture, or transport of cannabis. [410 ILCS 705/1-10]

"DOR" means the Illinois Department of Revenue.

"DPH" means the Illinois Department of Public Health.

"Early Approval Adult Use Cultivation Center License" or "Early Approval License" means a license that permits a medical cannabis cultivation center licensed under the Compassionate Use of Medical Cannabis Pilot Program Act as of the effective date of the Cannabis Regulation and Tax Act to begin cultivating, infusing, packaging, transporting (unless otherwise provided in the Act), and selling cannabis to cannabis business establishments for resale to purchasers as permitted by the Act as of January 1, 2020. [410 ILCS 705/1-10]

"Enclosed, Locked Facility" means a room, greenhouse, building, or other enclosed area equipped with locks or other security devices that permit access only by cannabis business establishment agents working for the licensed cannabis business establishment or acting pursuant to the Act to cultivate, process, store, or distribute cannabis. [410 ILCS 705/1-10]

"Enclosed, Locked Space" means a closet, room, greenhouse, building or other enclosed area equipped with locks or other security devices that permit access only by authorized individuals under the Act. "Enclosed, locked space" may include:

A space within a residential building that is the primary residence of the individual cultivating 5 or fewer cannabis plants that are more than 5 inches tall and includes sleeping quarters and indoor plumbing. The space must only be accessible by a key or code that is different from any key or

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*code that can be used to access the residential building from the exterior;
or*

A structure, such as a shed or greenhouse, that lies on the same plot of land as a residential building that includes sleeping quarters and indoor plumbing and is used as a primary residence by the person cultivating 5 or fewer cannabis plants that are more than 5 inches tall, such as a shed or greenhouse. The structure must remain locked when it is unoccupied by people. [410 ILCS 705/1-10]

"Enhanced Pre-Roll" or "Enhanced Flower" means a final form cannabis product that contains both cannabis and cannabis concentrate.

"Facility" means the physical structures associated with a licensee.

"Financial Interest" means any actual or future right to ownership, investment or compensation arrangement with another person, either directly or indirectly, through business, investment, spouse, parent or child, in a cultivation center. Financial interest does not include ownership of investment securities in a publicly-held corporation that is traded on a national securities exchange or over-the-counter market in the United States, provided the investment securities held by the person and the person's spouse, parent or child, in the aggregate, do not exceed one percent ownership in the cultivation center.

"Fingerprint-based Criminal History Records Check" means a fingerprint-based criminal history records check conducted by the Illinois State Police in accordance with the Uniform Conviction Information Act (UCIA) or 20 Ill. Adm. Code 1265.30 (Electronic Transmission of Fingerprint Requirements).

"Immature Plant" means a cannabis plant that measures less than 16 inches in total height.

"Impacted Family" means an individual who has a parent, legal guardian, child, spouse, or dependent, or was a dependent of an individual who, prior to the effective date of the Act, was arrested for, convicted of, or adjudicated delinquent for any offense that is eligible for expungement under the Act.

"Infuser" means a facility operated by an organization or business that is licensed by the Department to directly incorporate cannabis or cannabis concentrate into

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a product formulation to produce a cannabis-infused product. [410 ILCS 705/1-10]

"Infuser Agent" means a principal officer, board member, employee, or agent of an infuser.

"Input" means a cannabinoid derivative that includes cannabidiol (CBD), cannabigerol (CBG), tetrahydrocannabivarin (THCV), or cannabinol (CBN), in the form of an isolate, derived from industrial hemp, that is used as a raw material in the manufacture of cannabis products by a Department-licensed cultivation center, craft grower, or infuser. This definition does not include "crop input" as that term is defined in these rules.

"Isolate" means a concentrate that is more than 95% comprised of a single cannabinoid compound created by an extraction process.

"ISP" means the Illinois State Police.

"Label" means a display of written, printed or graphic matter on the immediate container of any product containing cannabis.

"Laboratory" means an independent laboratory located in Illinois and approved by the Department to have custody and use of controlled substances for scientific and medical purposes and for purposes of instruction, research or analysis.

"Labor Peace Agreement" means an agreement between a cannabis business establishment and any labor organization recognized under the National Labor Relations Act, referred to in this Act as a bona fide labor organization, that prohibits labor organizations and members from engaging in picketing, work stoppages, boycotts, and any other economics interference with the cannabis business establishment. This agreement means that the cannabis business establishment has agreed not to disrupt efforts by the bona fide labor organization to communicate with, and attempt to organize and represent, the cannabis business establishment's employees. The agreement shall provide a bona fide labor organization access at reasonable times to areas in which the cannabis business establishment's employees work, for the purpose of meeting with employees to discuss their right to representation, employment rights under State law, and terms and conditions of employment. This type of agreement shall not

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mandate a particular method of election or certification of the bona fide labor organization.

"Livescan" means an inkless electronic system designed to capture an individual's fingerprint images and demographic data (name, sex, race, date of birth, etc.) in a digitized format that can be transmitted to ISP for processing. The data is forwarded to the ISP Bureau of Identification (BOI) over a virtual private network (VPN) and then processed by ISP's Automated Fingerprint Identification System (AFIS). Once received at the BOI for processing, the inquiry may, as permitted by law, be forwarded to the Federal Bureau of Investigation (FBI) electronically for processing.

"Livescan Vendor" means an entity licensed by the DFPR to provide commercial fingerprinting services under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004.

"Manufacturing" or "Manufacture" means the process of converting harvested cannabis material into a finished product by manual labor and/or machinery designed to meet a specific need or customer expectation, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis.

"Modification" means any change to a cannabis business establishment that alters the physical layout or size of the building, affects the function or capacity of building systems (including mechanical, electrical, plumbing, ventilation, or fire suppression), or converts any area to a new use.~~changes in structures, processes or activities at a cultivation center that will alter the functions of production structures, processing systems, and/or changes in the physical footprint of the cultivation center.~~

"Monitoring" means the continuous and uninterrupted video surveillance of production~~cultivation~~ activities and oversight for potential suspicious actions. Monitoring includes video surveillance for the purpose of summoning a law enforcement officer to the premises during alarm conditions.

"Motor Vehicle" means a self-propelled vehicle as defined in Section 1-146 of the Illinois Vehicle Code.

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"Natural Processing" or "Naturally Produced" means the preparation of the harvested cannabis without significantly changing its physical form.

"Operational and Management Practices Plan" means a narrative description of all practices that will be employed at the cultivation center for the production of cannabis and cannabis-infused products. The plan shall include, but is not limited to:

The types and quantities of cannabis products that will be produced at the cultivation center;

The methods of planting (seed or clones), harvesting, drying and storage of cannabis;

The estimated quantity of waste material to be generated and plans for subsequent disposal;

The quantity and proposed method for disposal for all crop inputs utilized for plant production;

Methods for training employees for the specific phases of production;

Biosecurity measures to be implemented for plant production and edible infused product production;

Planned response to discrepancies in accounting of product inventories;

Sampling strategy and quality testing for labeling purposes;

Procedures to follow for proper labeling; and

Procedures to follow for handling mandatory and voluntary recalls of cannabis or cannabis-infused products.

"Ownership and Control" means ownership of at least 51% of the business, including corporate stock if a corporation, and control over the management and day-to-day operations of the business and an interest in the capital, assets, and profits and losses of the business proportionate to percentage of ownership. [410 ILCS 705/1-10]

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"Package Tag" means the tag that is labeled with a unique serial number provided by the Department or the Department's designee for attaching to batches of cannabis or cannabis product.

"Plant Tag" means the tag that is labeled with a unique serial number and provided by the Department or the Department's designee for attaching to a cannabis plant.

"Primary Residence" means a dwelling where a person usually stays or stays more often than other locations. It may be determined by, without limitation, presence; tax filings; address on an Illinois driver's license, an Illinois Identification Card, or an Illinois Person with a Disability Identification Card; or voter registration. No person may have more than one primary residence. [410 ILCS 705/1-10]

"Principal Officer" includes:

A cannabis business establishment applicant or licensed cannabis business establishment's board member, owner with more than 1% interest of the total cannabis business establishment or more than 5% interest of the total cannabis business establishment of a publicly traded company;

President, vice president, secretary, treasurer, partner, officer, member, manager member, or person with a profit sharing, financial interest, or revenue sharing arrangement.

The definition includes a person with authority to control the cannabis business establishment, a person who assumes responsibility for the debts of the cannabis business establishment, and a person who is further defined in the Act. [410 ILCS 705/1-10]

"Production" or "To Produce" means the planting, preparation, cultivation, growing, harvesting, propagation, compounding, conversion, natural processing, or manufacturing of cannabis, and includes any packaging or repackaging of the substance, or labeling or relabeling of its container.

"Processing organization" or "processor" means a facility operated by an organization or business that is licensed by the Department of Agriculture to

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either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product. [410 ILCS 705/1-10]

"Qualified Applicant" means an applicant for a cultivation center permit who receives at least the minimum required score in each category required by the application.

"Qualified Social Equity Applicant" means a Social Equity Applicant who has been awarded a conditional license under the Act to operate a cannabis business establishment. [410 ILCS 705/1-10]

"Resided" means an individual's primary residence was located within the relevant geographic area as established by 2 of the following:

A signed lease agreement that includes the applicant's name;

A property deed that includes the applicant's name;

School records;

A voter registration card;

An Illinois driver's license, an Illinois Identification Card, or an Illinois Person with a Disability Identification Card;

A paycheck stub;

A utility bill; or

Any other proof of residency or other information necessary to establish residence as provided by this Part. [410 ILCS 705/1-10]

"Restricted Area" means a building, room or other contiguous area upon the permitted premises where cannabis is grown, cultivated, harvested, stored, weighed, packaged, sold or processed for sale, under control of the permitted facility.

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"Sale" means any form of delivery, which includes barter, exchange or gift, or offer therefor, and each such transaction made by any person whether as principal, proprietor, agent, servant or employee.

"Secretary of State" or "SOS" means the Illinois Secretary of State.

"Social Equity Applicant" means an applicant that is an Illinois resident that meets one of the following criteria:

An applicant with at least 51% ownership and control by one or more individuals who have resided for at least 5 of the preceding 10 years in a Disproportionately Impacted Area;

An applicant with at least 51% ownership and control by one or more individuals who:

Have been arrested for, convicted of, or adjudicated delinquent for any offense that is eligible for expungement under the Act; or

Is a member of an impacted family;

For applicants with a minimum of 10 full-time employees, an applicant with at least 51% of current employees who:

Currently reside in a Disproportionately Impacted Area; or

Have been arrested for, convicted of, or adjudicated delinquent for any offense that is eligible for expungement under the Act or member of an impacted family.

"THC" means [delta-9](#) tetrahydrocannabinol.

"THCA" means tetrahydrocannabinolic acid.

"Total THC" means the cannabinoid content determined by the calculation of $\text{THC} + (\text{THCa} \times 0.877)$.

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"Transportation Activities" means the transport of cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program.

"Transporter" means an organization or business that is licensed by the Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program. [410 ILCS 705/1-10]

"Transporter Agent" means a principal officer, board member, employee, or agent of a transporting organization.

"Transporter Transfer Site" or "Transfer Site" means a secure physical facility, approved by the Department, operated by a transporter, that the transporter may use solely to transfer product between vehicles registered to the transporter and/or switch drivers who are licensed agents of the transporter.

"Unique Serial Number" means the alphanumeric code or designation used for reference to a specific plant and any cannabis or cannabis product derived or manufactured from that plant.

"Usable Cannabis" means the seeds, leaves, buds, and flowers of the cannabis plant, and any mixture or preparation thereof, including the resin extracted from any part of the plant, but does not include the stalk and roots of the plant. It does not include the weight of any non-cannabis ingredients combined with cannabis, such as ingredients added to prepare a topical administration, food, or drink.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1300.30 Scope and Application

- a) *The Department of Agriculture shall administer and enforce provisions of the Act relating to the oversight and registration of cultivation centers, craft growers, infusers, transporters, and agents, including the issuance of identification cards and establishing limits on potency or serving size for cannabis or cannabis products. [410 ILCS 705/5-10]*
- b) A cannabis business establishment and community college cannabis vocational pilot program licensed by the Department~~cultivation center~~ shall be in compliance

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with all of this Part prior to the commencement of operational activities and/or storage of cannabis.

- c) Pursuant to the Act, this Part shall apply to applicants for and holders of a cannabis business establishment license.
- d) Authorized On-Premises Storage. A cultivation center, craft grower, infuser, processor, or community college cannabis vocational pilot program licensee is authorized to store cannabis and cannabis-~~infused~~ products inventory on the licensed premises. All inventory stored on the licensed premises must be secured in a limited access area and tracked using the inventory and security requirements of this Part.
- e) Packaging and Labeling Standards Required. A cultivation center, craft grower, infuser, or processor is prohibited from selling cannabis and cannabis product that is not packaged and labeled in accordance with Subpart J.
- f) Sale to Consumer Prohibited. A cannabis business establishment licensed by the Department~~cultivation center~~ is prohibited from selling cannabis or any cannabis-~~infused~~ product, or other products intended for human or animal consumption, directly to a consumer or any business that is not a licensed cannabis business establishment.
- g) Consumption Prohibited. A cannabis business establishment or community college cannabis vocational pilot program licensed by the Department~~cultivation center~~ shall not permit the consumption of cannabis or cannabis-~~infused~~ products on its licensed premises.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1300.40 Operation of a Cannabis Business Establishment

- a) Only a cannabis business establishment that has been issued a license by the Department under the Act and this Part shall own or operate a cultivation center, craft grower, infuser, processor, or transporter.
- b) A cannabis business establishment, including each principal officer, board member, agent and employee, shall not:

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- 1) Produce, manufacture, or store cannabis or cannabis product in any place except in those areas designated in the license;
 - 2) Produce, manufacture, or store cannabis or cannabis product for use outside of Illinois;
 - 3) Sell, deliver, transport or distribute cannabis or cannabis product to any person or entity other than a cannabis business establishment~~organization~~ licensed by the Department, a dispensing organization registered with DFPR, a testing laboratory approved by the Department, or a State regulatory entity or law enforcement;
 - 4) Enter into an exclusive agreement with any other cannabis business establishment;
 - 5) Refuse to conduct business with any other cannabis business establishment that has the financial ability to pay for products or services, except when prohibited by law;
 - 6) Either directly or indirectly discriminate in price among different cannabis business establishments. Nothing in this subsection (b)~~(7)~~ prevents pricing cannabis differently based on differences in the cost of production, the quantities sold (such as volume discounts), the way the products are delivered, or delivery costs relative to distance travelled.
- c) Except as provided in subsections (d) and (e), a Department licensed cannabis business establishment shall not obtain or otherwise permit or facilitate the entry to their facility of any cannabis, industrial hemp, and any other cannabis plant derived material that is not from a licensed Illinois cannabis business establishment.
- d) A cultivation center, craft grower, or infuser may obtain cannabidiol (CBD), cannabigerol (CBG), tetrahydrocannabivarin (THCV), or cannabinol (CBN) inputs subject to the following requirements:
- 1) Approval:

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- A) Prior to the arrival of the input at the licensee facility, the licensee shall submit a request to the Department to accept the input at the facility.
 - B) Licensee cannot accept the input into their facility unless and until Department approves the request.
 - C) If the request is approved, the licensee must receive the input at their facility and record such in the cannabis plant monitoring system within the timeframe specified in the Department's approval.
 - D) If the Department denies the request, the licensee cannot accept the input at their facility.
 - E) Licensee shall not use the input in any cannabis product until it is approved and recorded in the cannabis plant monitoring system.
- 2) Requests for Approval:
- A) Requests shall be submitted through the cannabis plant monitoring system, or other Department-approved method.
 - B) Requests shall include the type and quantity of the input.
- 3) The input was cultivated by a hemp grower licensed by the United States Department of Agriculture, or a state or tribal plan approved by the United States Department of Agriculture;
- 4) The input is in the form of isolate;
- 5) The input is to be used as an ingredient in a cannabis-infused product;
- 6) The input shall not contain more than 0.3 % total THC as defined in 8 Ill. Adm. Code 1200.10;
- 7) The input is stored in an amount not to exceed 50 grams and shall be entered into the cannabis plant monitoring system in grams;

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- 8) The input shall be made available for an employee of an approved laboratory to select a representative sample;
- 9) The sample must pass all required tests under Section 1300.700 prior to usage of the input;
- 10) The certificate of analysis for the input, and the name and license number of the licensed hemp grower, shall be readily available at the licensee's facility for inspection, in a physical or digital format;
- 11) The input shall be naturally derived;
- 12) The input, once in the licensee facility, shall not be converted or concentrated to form an intermediate intoxicating compound.
- e) A cultivation center or craft grower may obtain seeds, clones, or new genetics from an entity other than a cannabis business establishment upon approval of the Department. A request for approval shall be made through the cannabis plant monitoring system, unless otherwise designated by the Department, and must include the quantity and the transfer must be made within the time window stated in the system.
- f) A cultivation center, craft grower, or infuser shall not be required to obtain a hemp processor registration under 8 Ill. Adm. Code 1200 to utilize inputs under subsection (d).

(Source: Amended at 49 Ill. Reg. _____, effective _____)

SUBPART B: ADULT USE CULTIVATION CENTERS

Section 1300.115 License Award, Issuance and Transferability

- a) License Issuance – Conditional Adult Use Cultivation Center License
Top-scoring applicants will be awarded a CAUCCL. *A cultivation center that is awarded a CAUCCL pursuant to the criteria set forth in Section 1300.105 shall not grow, purchase, possess, or sell cannabis or cannabis-infused products until the person has received an Adult Use Cultivation Center License issued by the Department.* [410 ILCS 705/20-15(e)]

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b) License Issuance – Adult Use Cultivation Center License

- 1) *A person or entity is only eligible to receive an Adult Use Cultivation Center License if the person or entity has first been awarded a CAUCCL. [410 ILCS 705/20-21(a)]*
- 2) A cultivation center license shall be issued for the specific location identified on the application, and is valid only for the owner, premises and name designated on the license and the location for which it is issued.
- 3) *Should the applicant be awarded a cultivation center license, it shall pay a fee of \$100,000 prior to receiving the license. [410 ILCS 705/20-20(d)]*
- 4) *The Department will not issue an Adult Use Cultivation Center License until:*
 - A) *The Department has inspected the cultivation center site and proposed operations and verified that they are in compliance with the Act and local zoning laws;*
 - B) *The CAUCCL holder has paid a registration fee of \$100,000 or a prorated amount accounting for the difference of time between when the Adult Use Cultivation Center License is issued and March 31 of the next even-numbered year; and*
 - C) *The CAUCCL holder has met all the requirements in the Act and this Part. [410 ILCS 705/20-20(b)]*

c) Transfer of License

A cultivation center license shall not be transferable, in whole or in part, without Department approval, with the following exceptions:

- 1) A cultivation center license may be reissued, without charge, solely in the name of the surviving spouse or domestic partner of a deceased licensee if the license was issued in the names of both of the parties;
- 2) A cultivation center license may be transferred, without charge, to an heir of a deceased licensee, as determined by the Probate Act of 1975. For the purpose of considering the qualifications of the heir to receive a

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cultivation center license, the Department will require a criminal background check and the heir will be subject to all other requirements of the Act and this Part.

d) Change of Business Location

In the event that the Department approves the new location as meeting all requirements of the Act and this Part, the cultivation center shall have a brief transition period of no more than 90 days, approved by the Department, to transfer its inventory and begin operations at the new location.

- 1) The transition period shall not begin until the new location is ready to begin production.
- 2) No product may be transferred to or cultivated at the new location prior to the beginning date of this approved transition period.
- 3) Any product remaining at the original location past the transition period shall be destroyed in accordance with Subpart I (Destruction of Cannabis).
- 4) The cultivation center shall notify the Department in writing or by electronic transmission once the transfer of inventory is complete and production has begun at the new location.
- 5) Upon inspection and verification by the Department that the new location is in compliance with the Act and this Part, the Department will issue a license modification reflecting the new location. The modified license shall have the same expiration date as the previously issued license.

e) Sale of Stock

The proposed sale of any outstanding or issued stock of a corporation licensed under the Act, or any proposed change in the officers or board members of the corporation, must be reported to the Department and Department approval must be obtained before the changes are made. A fee of \$1000 will be charged for the processing of the change of stock ownership or corporate officers or board members.

- f) The proposed change of any person or principal officer of any licensee must be reported to the Department and Department approval must be obtained before the

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changes are made. ~~A fee of \$1000 will be charged for the processing of any such change.~~

- g) A cultivation center license shall not be leased or subcontracted, in whole or in part.
- h) A cultivation center license is issued upon the following condition: *A cultivation center may not either directly or indirectly discriminate in price between different dispensing organizations, craft growers, or infusers that are purchasing a like grade, strain, brand, and quality of cannabis or cannabis-infused product. Nothing in this subsection (h) prevents a cultivation centers from pricing cannabis differently based on differences in the cost of manufacturing or processing, the quantities sold, such as volume discounts, or the way the products are delivered.* [410 ILCS 705/20-30(e)]
- i) A cultivation center license is issued upon the following condition: *It is unlawful for any person having a cultivation center license or any officer, associate, member, representative, or agent of the licensee to offer or deliver money, or anything else of value, directly or indirectly to any person having an Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act (the licensees), or to any person connected with or in any way representing, or to any member of the family of, the person holding one of the licenses, or to any stockholders in any corporation engaged in the retail sale of cannabis, or to any officer, manager, agent, or representative of the licensee to obtain preferential placement within the dispensing organization, including, without limitation, on shelves and in display cases where purchasers can view products, or on the dispensing organization's website.* [410 ILCS 705/20-30(n)]
- j) Licensure Condition
 - 1) A cultivation license is issued upon the following condition: *No person or entity shall hold any legal, equitable, ownership, or beneficial interest, directly or indirectly, in more than 3 cultivation centers licensed under Article 20 of the Act.*

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- 2) *Further, no person or entity that is employed by, is an agent of, has a contract to receive payment in any form from, a cultivation center, is a principal officer of a cultivation center, or an entity controlled by or affiliated with, a principal officer of a cultivation center shall hold any legal, equitable, ownership, or beneficial interest, directly or indirectly, in a cultivation center that would result in the person or entity owning or controlling, in combination with any cultivation center, principal officer of a cultivation center, or entity controlled or affiliated with a principal officer of a cultivation center by which he, she, or it is employed, is an agent of, or participates in the management of, more than 3 cultivation center licenses. [410 ILCS 705/20-30(j)]*

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1300.130 Modifications and Alterations

- a) A license shall be amended before the commencement of any modification to the facility. This includes any change that modifies the approved license design capability of production or process areas, including change of capacity, efficiency or processes.
- b) Before making any modification to a licensed facility, the cultivation center must complete an Application for License and Construction Approval and submit the application with the appropriate schedules to the Department. The fee for an application to make modifications to a cultivation center shall be \$~~4,000~~5,000. ~~In addition, upon approval of the application, the applicant shall pay an additional fee of \$3,000.~~
- c) An amendment to the license shall not be required for alterations at the facility. The fee for an application to make an alteration of a cultivation center, other than an expansion, shall be \$~~500~~1,000.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1300.170 Operations – Plant Production

- a) Each facility shall develop and maintain an Operations and Management Practices Plan for each production area.

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- b) Each production area shall maintain an open aisle on all sides of each plant group to allow for unobstructed travel, observation and inventory of each plant group.
- c) Each production area shall be maintained free of debris.
- d) Biosecurity measures shall be implemented and maintained at all times.
- e) A record of all crop inputs shall be maintained for at least 5 years at the facility. The record shall include the following:
 - 1) The date of application;
 - 2) The name of the individual making the application;
 - 3) The product that was applied;
 - 4) The section, including the square footage, that received the application (by group number);
 - 5) The amount of product that was applied; and
 - 6) A copy of the label of the product applied.
- f) All cannabis plants and cannabis products shall utilize the cannabis plant monitoring system as required under Subpart K of this Part.~~At the time of planting, all plants shall be accounted for as a batch with a unique batch number that shall remain with the batch through final packaging. A "batch" means the established segregation of a group of plants at the time of planting for the control of quantity, traceability and/or strain. A batch number will be assigned at the time of planting for a specified number of plants. When plants reach 6 inches in height, a specific number will be assigned for each plant within that batch and the individual tag will be recorded electronically (RFID) or kept in an electronic file until harvest or destruction. The batch number will remain with the segregated plants through harvest to final packaging. The batch number will be included on the label of the package distributed for the end user.~~
- g) All plants, regardless of accounting strategy, shall be physically inventoried on a weekly basis and records of the inventory shall be kept at the facility for at least 5 years. The records shall be made available to the Department upon request.

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- ~~h) Any removal of plants from the batch shall be recorded on a permanent record and maintained on site. The records shall be made available to the Department.~~
- ~~i) The batch number shall be displayed on the approved label of the product designated for distribution to a dispensing organization.~~
- h) All persons working in direct contact with cannabis shall conform to hygienic practices while on duty, including but not limited to the following:

 - 1) Litter and waste shall be properly removed and the operating systems for waste disposal shall be maintained in an adequate manner so that they do not constitute a source of contamination in areas where cannabis plants are exposed;
 - 2) Floors, walls and ceilings shall be constructed in such a manner that they may be adequately cleaned and kept clean and in good repair;
 - 3) There shall be adequate lighting in all areas where cannabis is stored and where equipment or utensils are cleaned;
 - 4) There shall be adequate screening or other protection against the entry of pests. Rubbish shall be disposed of so as to minimize the development of odor and minimize the potential for the waste becoming an attractant, harborage or breeding place for pests;
 - 5) Any buildings, fixtures and other facilities shall be maintained in a sanitary condition;
 - 6) Toxic cleaning compounds, sanitizing agents, solvents used in the production of cannabis concentrates, and pesticide chemicals shall be identified, held and stored in a manner that protects against contamination of cannabis, and in a manner that is in accordance with any applicable local, State or federal law, rule, regulation or ordinance;
 - 7) Only sanitizing agents registered with the Department pursuant to the Illinois Pesticide Act shall be used in cultivation centers, and they shall be used in accordance with labeled instructions;

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- 8) The water supply shall be sufficient for the operations intended and shall be derived from a source that is a regulated water system. Private water supplies shall be derived from a water source that is capable of providing a safe, potable and adequate supply of water to meet the facility's needs;
- 9) Plumbing shall be of adequate size and design and adequately installed and maintained to carry sufficient quantities of water to required locations throughout the cultivation center, and it shall properly convey sewage and liquid disposable waste from the facility. There shall be no cross-connections between the potable and waste water lines, pursuant to the Illinois Plumbing Code;
- 10) All operations in the receiving, inspecting, transporting, segregating, preparing, production, packaging and storing of cannabis or cannabis-infused product shall be conducted in accordance with adequate sanitation principles;
- 11) Cannabis that can support the rapid growth of undesirable microorganisms shall be held in a manner that prevents the growth of these microorganisms; and
- 12) *A cultivation center shall not contain more than 210,000 square feet of canopy space for plants in the flowering stage for cultivation of adult use cannabis.* [410 ILCS 705/20-30(k)]

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1300.185 Security

- a) A cultivation center shall be required to operate and maintain in good working order a 24 hour, 7 days a week, closed-circuit television (CCTV) surveillance system on the premises that complies with the following minimum standards:
 - 1) Visually records and monitors all building entrances and exits, all parking lot areas, and rear alley areas immediately adjacent to the building, and covers the entire inside of the facility, including all limited access areas and all areas where cannabis is produced, stored, shipped or destroyed, but does not include restrooms nor the executive office. Fixed cameras shall be installed to provide a consistent recorded image of these areas. The

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cultivation center shall instruct the company or individuals installing the surveillance cameras to maximize the quality of facial and body images and to avoid backlighting and physical obstructions;

- 2) Cameras installed outdoors and in low-light interior areas shall be day/night cameras with a minimum resolution of 600 lines per inch (analog) or D1 (IP) and a minimum light factor requirement of 0.7 LUX. The installation of additional lighting may be required to increase picture clarity and brightness. Cameras shall be calibrated and focused to maximize the quality of the recorded image;
- 3) The recording device shall be digital and meet the following minimum standards:
 - A) Displays a date and time stamp on all recorded video;
 - B) Can produce a digital video disc using an installed media recording drive. The video on the disc shall be viewable on any Windows PC, and shall include any required player software on the disc;
 - C) The ability to remain operational during a power outage for an unlimited amount of time from an alternative power source such as a petroleum fueled generator;
 - D) Allow for the exporting of still images in an industry standard image format, including .jpg, .bmp and .gif. Exported video shall have the ability to be archived in a proprietary format that ensures authentication of the video and guarantees that no alteration of the recorded image has taken place. Exported video shall also have the ability to be saved in an industry standard file format that can be played on a standard computer operating system. All recordings shall be erased or destroyed prior to disposal;
- 4) A display monitor with a minimum screen size of 12 inches shall be connected to the electronic recording security system at all times;
- 5) Electronic recording security systems are required to be maintained in good working order at all times. The owner of a cultivation center shall instruct each manager, employee or agent overseeing the functioning of

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the video recording security system to immediately report to the agent-in-charge any malfunctioning or technical problems with the system;

- 6) Security recordings shall meet the following minimum requirements:
 - A) The recorded image resolution shall be at least D1;
 - B) The recorded image frame rate shall be at least 3 frames per second during alarm or motion-based recording; and
 - C) Security recordings shall be retained by a cultivation center for a minimum of 90 days either at the licensed premises or via off site storage that can be digitally accessed at any time~~at the licensed premises and an additional 90 days off site (e.g., cloud storage).~~
The recording system for the security cameras must be located in a locked, tamper-proof compartment;
 - 7) Have available a video printer capable of immediately producing a clear still photo from any video camera image; and
 - 8) Upon request, the recording or any photo shall be turned over to ISP or the Department.
- b) Access to surveillance areas shall be limited to persons who are essential to surveillance operations, law enforcement agencies, security system service personnel, the Department, and others when approved by the Department. A current list of authorized employees and service personnel who have access to the surveillance room must be available to the Department upon request. Surveillance rooms shall remain locked.
 - c) The electronic security system shall be available 24 hours per day, 7 days per week, to the Department and law enforcement agencies via a secure web-based portal with forward and backward playback capability.
 - d) No person, except cultivation center agents, local law enforcement, the Department or the Department's authorized representative, DPH inspectors, or other federal, State or local government officials, when necessary to perform their governmental duties, shall be allowed on the premises of a cultivation center, except that:

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- 1) Laboratory staff may enter a cultivation center for the sole purpose of identifying and collecting cannabis samples for purposes of conducting laboratory tests;
 - 2) Emergency personnel may enter a cultivation center when necessary to perform their duties;
 - 3) Upon written notice to the Department, a cultivation center may allow contractors to enter a cultivation center when they are working on a job unrelated to ~~medical~~-cannabis, such as installing or maintaining security devices or performing electrical wiring; and
 - 4) Upon prior written request, the Department or the Department's authorized representative may permit other persons to enter a cultivation center.
- e) All persons who are not cultivation center agents, but who are permitted on the premises of a cultivation center pursuant to subsection (b), shall obtain a visitor identification badge from cultivation center personnel prior to entering the cultivation center, and shall be escorted and monitored at all times by cultivation center personnel. The visitor identification badge shall be visibly displayed at all times while the visitor is in the cultivation center. All visitors, after presenting valid government issued identification with a picture, shall be logged in and out, and that log shall include the date, time and purpose of the visit and shall be maintained and made available to the Department, at any time, for a period of five years. All visitor identification badges shall be returned to the cultivation center personnel upon the visitor exiting the cultivation center.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

SUBPART C: COMMUNITY COLLEGE
CANNABIS VOCATIONAL PILOT PROGRAM

Section 1300.220 License Renewal

- a) Every program license shall expire annually on the date it was issued.

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- b) Every renewal application for a license shall be filed annually with the Department at least 45 calendar days prior to the expiration date of the existing license.
- c) The Department will send written notification of expiration to each licensed program at least 90 days prior to the expiration date. However, failure to receive a renewal form from the Department will not excuse the program from renewing the license prior to its expiration.
- d) The renewal application must include a list of all faculty members participating in the cannabis curriculum and contain the signature of the faculty member charged with supervising the cannabis curriculum.
- e) ~~The license renewal fee shall be \$50.~~

(Source: Amended at 49 Ill. Reg. _____, effective _____)

SUBPART D: CRAFT GROWERS

Section 1300.315 License Award, Issuance and Transferability

- a) The top-scoring applicants, as determined by Section 1300.307, that receive at least 75% of available points will be issued Craft Grower Licenses by the Department.
- b) A Craft Grower License shall be issued for the specific location identified on the application, and is valid only for the named owner and the location for which it is issued.
- c) *Should the applicant be awarded a Craft Grower License, the applicant shall pay a prorated fee of \$40,000 prior to receiving the license. [410 ILCS 705/30-15(d)]*
- d) Transfer of License
A Craft Grower License shall not be transferable in whole or in part, without Department approval, with the following exceptions:
 - 1) A Craft Grower License may be reissued, without charge, solely in the name of the surviving spouse or domestic partner of a deceased licensee if the license was issued in the names of both of the parties; and

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- 2) A Craft Grower License may be transferred, without charge, to an heir of a deceased licensee, as determined by the Probate Act of 1975. For the purpose of considering the qualifications of the heir to receive a Craft Grower License, the Department will require a criminal background check and the heir will be subject to all other requirements of the Act and this Part.
- e) Change of Location

In the event that the Department approves a new location as meeting all requirements of the Act and this Part, the craft grower shall have a brief transition period of no more than 90 days, approved by the Department, to transfer its inventory and begin operations at the new location.

 - 1) The transition period shall not begin until the new location is ready to begin production.
 - 2) *A craft grower may not be located in an area zoned for residential use.* [410 ILCS 705/30-30(e)]
 - 3) *A craft grower shall not be located within 1,500 feet of another craft grower or a cultivation center.* [410 ILCS 705/30-30(o)]
 - 4) No product may be transferred to or cultivated at the new location prior to the beginning date of this approved transition period.
 - 5) Any product remaining at the original location past the transition period shall be destroyed in accordance with the provisions of Subpart I (Destruction of Cannabis).
 - 6) The craft grower shall notify the Department in writing or by electronic transmission once the transfer of inventory is complete and production has begun at the new location.
 - 7) Upon inspection and verification by the Department that the new location is in compliance with the Act and this Part, the Department will issue a license modification reflecting the new location. The modified license shall have the same expiration date as the previously issued license.

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- f) Sale of Stock
The proposed sale of any outstanding or issued stock of a corporation licensed under the Act, or any proposed change in the officers or board members of the corporation, must be reported to the Department, and Department approval must be obtained before the changes are made. A fee of \$1,000 will be charged for the processing of the change of stock ownership or corporate officers or board members.
- g) The proposed change of any person or principal officer of any licensee must be reported to the Department and Department approval must be obtained before the changes are made. ~~A fee of \$1,000 will be charged for the processing of any such change.~~
- h) A Craft Grower License shall not be leased or subcontracted, in whole or in part.
- i) A Craft Grower License is issued upon the following condition: *A craft grower may not either directly or indirectly discriminate in price between different dispensing organizations, craft growers, or infusers that are purchasing a like grade, strain, brand, and quality of cannabis or cannabis-infused product. Nothing in this subsection (i) prevents a cultivation centers from pricing cannabis differently based on differences in the cost of manufacturing or processing, the quantities sold, such as volume discounts, or the way the products are delivered.* [410 ILCS 705/30-30(f)]
- j) A Craft Grower License is issued upon the following condition: *It is unlawful for any person having a Craft Grower License or any officer, associate, member, representative, or agent of such licensee to offer or deliver money, or anything else of value, directly or indirectly to any person having an Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act, or to any person connected with or in any way representing, or to any member of the family of, such person holding an Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act, or to any stockholders in any corporation engaged in the retail sale of cannabis, or to any officer, manager, agent, or representative of the Early Approval Adult*

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Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act to obtain preferential placement within the dispensing organization, including, without limitation, on shelves and in display cases where purchasers can view products, or on the dispensing organization's website. [410 ILCS 705/30-30(n)]

- k) A Craft Grower License is issued upon the following condition: *No person or entity shall hold any legal, equitable, ownership, or beneficial interest, directly or indirectly, of more than 3 Craft Grower Licenses. Further, no person or entity that is employed by, an agent of, or has a contract to receive payment from or participate in the management of a craft grower, is a principal officer of a craft grower, or entity controlled by or affiliated with a principal officer of a craft grower shall hold any legal, equitable, ownership, or beneficial interest, directly or indirectly, in a Craft Grower License that would result in the person or entity owning or controlling in combination with any craft grower, principal officer of a craft grower, or entity controlled or affiliated with a principal officer of a craft grower by which he, she, or it is employed, is an agent of, or participates in the management of more than 3 Craft Grower Licenses. [410 ILCS 705/30-30(m)]*

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1300.320 License Renewal

- a) Every Craft Grower License issued by the Department under the Act and this Part shall expire annually on the date it was issued.
- b) Every renewal application for a license issued pursuant to this Part and accompanied by the proper fees shall be filed annually with the Department at least 45 calendar days prior to the date the existing license expires.
- c) The Department will send written notification of expiration to each licensed craft grower at least 90 days prior to expiration. However, failure to receive a renewal form from the Department will not excuse the craft grower from paying the renewal fee or renewing the license prior to its expiration.
- d) *The Department will grant a renewal application within 45 days after submission of a renewal application if:*

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- 1) *The registered craft grower submits a renewal application and the required renewal fee of \$40,000;*
 - 2) *The Department has not suspended the license of the craft grower or suspended or revoked the registration for violation of the Act or this Part;*
 - 3) *The craft grower has continued to operate in accordance with all plans submitted as part of its application and approved by the Department or any amendments that have been approved by the Department;*
 - 4) *The craft grower has submitted an agent, employee, contracting, and subcontracting diversity report as required by the Department; and*
 - 5) *The craft grower has submitted an environmental impact report as required by the Act.*
- e) *If a craft grower fails to renew its license before expiration, it shall cease operations until its license is renewed. [410 ILCS 705/30-45]*
- f) *Upon request for renewal, the Department will consider the licensee's history of compliance with requirements of the Act and this Part, the number and severity of any violations and the correction of those violations, as well as penalties or fines imposed, or any other enforcement actions.*
- g) *The Department may deny a renewal after consideration of the licensee's history of compliance.*
- h) The Department shall not assess the renewal fee in subsection (d) for the two annual license renewal applications submitted by a craft grower after the effective date of this subsection. The renewal fee in subsection (d) shall be imposed on the craft grower's third annual renewal application submitted after the effective date of this rule.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1300.330 Modifications and Alterations

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- a) A license shall be amended before the commencement of any modification to the facility. This includes any change that modifies the approved license design capability of production or process areas, including change of capacity, efficiency, or processes.
- b) Before making any modification to a licensed facility, the craft grower must complete an Application for License and Construction Approval and submit the application with the appropriate schedules to the Department. The fee for an application to make modifications to a craft grower shall be \$~~2,000~~2,500. ~~In addition, upon the approval of the application, the applicant shall pay an additional fee of \$1,500.~~
- c) An amendment to the license shall not be required for alterations at the facility. The fee for an application to make an alteration of a craft grower, other than an expansion, shall be \$~~250~~500.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1300.370 Operations – Plant Production

- a) Each facility shall develop and maintain an Operations and Management Practices Plan for each production area.
- b) Each production area shall maintain an open aisle on all sides of each plant group to allow for unobstructed travel, observation and inventory of each plant group.
- c) Each production area shall be maintained free of debris.
- d) Biosecurity measures shall be implemented and maintained at all times.
- e) A record of all crop inputs shall be maintained for at least 5 years at the facility. The record shall include:
 - 1) The date of application;
 - 2) The name of the individual making the application;
 - 3) The product that was applied;

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- 4) The section, including the square footage, that received the application (by group number);
 - 5) The amount of product that was applied; and
 - 6) A copy of the label of the product applied.
- f) All cannabis plants and cannabis products shall utilize the Cannabis plant monitoring system as required under Subpart K of this Part. ~~At the time of planting, all plants shall be accounted for as a batch with a unique batch number that shall remain with the batch through final packaging. The batch number will be included on the label of the package distributed for the end user.~~
- g) All plants, regardless of accounting strategy, shall be physically inventoried on a weekly basis and records of the inventory shall be kept at the facility for at least 5 years. Those records shall be made available to the Department upon request.
- ~~h) Any removal of plants from the batch shall be recorded on a permanent record and maintained on site.~~
- ~~i) The batch number shall be displayed on the approved label of the product designated for distribution to a dispensing organization.~~
- h) All persons working in direct contact with cannabis shall conform to hygienic practices while on duty, including but not limited to:
- 1) Litter and waste shall be properly removed and the operating systems for waste disposal shall be maintained in an adequate manner so that they do not constitute a source of contamination in areas where cannabis plants are exposed;
 - 2) Floors, walls and ceilings shall be constructed in a manner that they may be kept adequately clean and in good repair;
 - 3) There shall be adequate lighting in all areas where cannabis is stored and where equipment or utensils are cleaned;
 - 4) There shall be adequate screening or other protection against the entry of pests. Rubbish shall be disposed of to minimize the development of odor

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and minimize the potential for the waste becoming an attractant, harborage or breeding place for pests;

- 5) Any buildings, fixtures and other facilities shall be maintained in a sanitary condition;
- 6) Toxic cleaning compounds, sanitizing agents, solvents used in the production of cannabis concentrates, and pesticide chemicals shall be identified, held, and stored in a manner that protects against contamination of cannabis and is in accordance with any applicable local, State or federal law, rule, regulation or ordinance;
- 7) Only sanitizing agents registered with the Department pursuant to the Illinois Pesticide Act shall be used in cultivation centers, and they shall be used in accordance with labeled instructions;
- 8) The water supply shall be sufficient for the operations intended and shall be derived from a source that is a regulated water system. Private water supplies shall be derived from a water source that is capable of providing a safe, potable and adequate supply of water to meet the facility's needs;
- 9) Plumbing shall be of adequate size and design and adequately installed and maintained to carry sufficient quantities of water to required locations throughout the cultivation center, and it shall properly convey sewage and liquid disposable waste from the facility. There shall be no cross-connections between the potable and waste water lines, pursuant to the Illinois Plumbing Code;
- 10) All operations in the receiving, inspecting, transporting, segregating, preparing, production, packaging and storing of cannabis or cannabis-infused product shall be conducted in accordance with adequate sanitation principles; and
- 11) Cannabis that can support the rapid growth of undesirable microorganisms shall be held in a manner that prevents the growth of these microorganisms.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

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Section 1300.385 Security

- a) A craft grower shall be required to operate and maintain in good working order a 24 hour, 7 days a week, closed-circuit television (CCTV) surveillance system on the premises that complies with the following minimum standards:
 - 1) The surveillance system shall visually record and monitor all building entrances and exits, all parking lot areas, and rear alley areas immediately adjacent to the building, and covers the entire inside of the facility, including all limited access areas and all areas where cannabis is produced, stored, shipped or destroyed, but does not include restrooms nor the executive office. Fixed cameras shall be installed to provide a consistent recorded image of these areas. The craft grower shall instruct the company or individuals installing the surveillance cameras to maximize the quality of facial and body images and to avoid backlighting and physical obstructions.
 - 2) Cameras installed outdoors and in low-light interior areas shall be day/night cameras with a minimum resolution of 600 lines per inch (analog) or D1 (IP) and a minimum light factor requirement of 0.7 LUX. The installation of additional lighting may be required to increase picture clarity and brightness. Cameras shall be calibrated and focused to maximize the quality of the recorded image.
 - 3) The recording device shall be digital and meet the following minimum standards:
 - A) Displays a date and time stamp on all recorded video;
 - B) Produces a digital video disc using an installed media recording drive. The video on the disc shall be viewable on any Windows PC, and shall include any required player software on the disc;
 - C) Remains operational during a power outage for an unlimited amount of time; and
 - D) Allows for the exporting of still images in an industry standard image format, including .jpg, .bmp and .gif. Exported video shall have the ability to be archived in a proprietary format that ensures

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authentication of the video and guarantees that no alteration of the recorded image has taken place. Exported video shall also have the ability to be saved in an industry standard file format that can be played on a standard computer operating system. All recordings shall be erased or destroyed prior to disposal.

- 4) A display monitor with a minimum screen size of 12 inches shall be connected to the electronic recording security system at all times.
 - 5) Electronic recording security systems must be maintained in good working order at all times. The owner of a craft grower shall instruct each manager, employee or agent overseeing the functioning of the video recording security system to immediately report to the agent-in-charge any malfunctioning or technical problems with the system.
 - 6) Security recordings shall meet the following minimum requirements:
 - A) The recorded image resolution shall be at least D1; and
 - B) The recorded image frame rate shall be at least 3 frames per second during alarm or motion-based recording.
 - 7) Security recordings shall be retained by the craft grower for a minimum of 90 days either at the licensed premises or via off site storage that can be digitally accessed at any time~~at the licensed premises and an additional 90 days off site (e.g., cloud storage)~~. The recording system for the security cameras must be located in a locked, tamper-proof compartment.
 - 8) The surveillance system must be able to connect to a video printer capable of immediately producing a clear still photo from any video camera image.
 - 9) Upon request, the video recording or any photo shall be turned over to ISP or the Department.
- b) Access to surveillance areas shall be limited to persons who are essential to surveillance operations, law enforcement agencies, security system service personnel, the Department, and others when approved by the Department. A current list of authorized employees and service personnel that have access to the

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surveillance room must be available to the Department upon request. Surveillance rooms shall remain locked.

- c) The electronic security system shall be available 24 hours per day, 7 days per week, to the Department and law enforcement agencies via a secure web-based portal with forward and backward playback capability.
- d) No person, except craft grower agents, local law enforcement, the Department or the Department's authorized representative, DPH inspectors, or other federal, State or local government officials when necessary to perform their governmental duties, shall be allowed on the premises of a craft grower~~cultivation center~~, except that:
 - 1) Laboratory staff may enter the craft grower for the sole purpose of identifying and collecting cannabis samples for purposes of conducting laboratory tests;
 - 2) Emergency personnel may enter a craft grower when necessary to perform their duties;
 - 3) Upon written notice to the Department, a craft grower~~cultivation center~~ may allow contractors to enter a craft grower~~cultivation center~~ when they are working on a job unrelated to ~~medical~~ cannabis, such as installing or maintaining security devices or performing electrical wiring; and
 - 4) Upon prior written request, the Department or the Department's authorized representative may permit other persons to enter a craft grower.
- e) All persons who are not craft grower agents, but who are permitted on the premises of a craft grower pursuant to subsection (b), shall obtain a visitor identification badge from craft grower personnel prior to entering the craft grower, and shall be escorted and monitored at all times by craft grower personnel. The visitor identification badge shall be visibly displayed at all times while the visitor is in the craft grower. All visitors, after presenting valid government issued identification with a picture, shall be logged in and out, and that log shall include the date, time and purpose of the visit and shall be maintained and made available to the Department, at any time, for a period of five years. All visitor identification badges shall be returned to the craft grower personnel upon the visitor exiting the craft grower~~cultivation center~~.

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(Source: Amended at 49 Ill. Reg. _____, effective _____)

SUBPART E: INFUSERS

Section 1300.415 License Award, Issuance and Transferability

- a) The top-scoring applicants as determined by Section 1300.407, that receive at least 75% of available points, will be issued Infuser Licenses by the Department.
- b) An Infuser License shall be issued for the specific location identified on the application, and is valid only for the owner, premises and name designated on the license and the location for which it is issued.
- c) *Should the applicant be awarded an Infuser License, it shall pay a fee of \$5,000 prior to receiving the license. [410 ILCS 705/35-15(d)]*
- d) An Infuser License shall not be transferable, in whole or in part, without Department approval, with the following exceptions:
 - 1) An Infuser License may be reissued, without charge, solely in the name of the surviving spouse or domestic partner of a deceased licensee if the license was issued in the names of both of the parties;
 - 2) An Infuser License may be transferred, without charge, to an heir of a deceased licensee other than as provided in subsection (b)(1), as determined by the Probate Act of 1975. For the purpose of considering the qualifications of the heir to receive an Infuser License, the Department will require a criminal background check and the heir will be subject to all other requirements of the Act and this Part.
- e) In the event that the Department approves a new location as meeting all requirements of the Act and this Part, the infuser shall have a brief transition period of no more than 90 days, approved by the Department, to transfer its inventory and begin operations at the new location.
 - 1) The transition period shall not begin until the new location is ready to begin production.

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- 2) *An infuser may not be located in an area zoned for residential use. [410 ILCS 705/35-25(i)]*
- 3) No product may be transferred to or processed at the new location prior to the beginning date of this approved transition period.
- 4) Any product remaining at the original location past the transition period shall be destroyed in accordance with the provisions of Subpart I (Destruction of Cannabis).
- 5) The infuser shall notify the Department in writing or by electronic transmission once the transfer of inventory is complete and production has begun at the new location.
- 6) Upon inspection and verification by the Department that the new location is in compliance with the Act and this Part, the Department will issue a license modification reflecting the new location. The modified license shall have the same expiration date as the previously issued license.
- f) The proposed sale of any outstanding or issued stock of a corporation licensed under the Act, or any proposed change in the officers or board members of the corporation, must be reported to the Department, and Department approval must be obtained before the changes are made. A fee of \$1,000 will be charged for the processing of the change of stock ownership or corporate officers or board members.
- g) The proposed change of any person or principal officer of any licensee must be reported to the Department and Department approval must be obtained before the changes are made. ~~A fee of \$1,000 will be charged for the processing of any such change.~~
- h) An Infuser License shall not be leased or subcontracted, in whole or in part.
- i) An Infuser License is issued upon the following condition: *An infuser may not either directly or indirectly discriminate in price between different cannabis business establishments that are purchasing a like grade, strain, brand, and quality of cannabis or cannabis-infused product. Nothing in this subsection (i) prevents an infuser from pricing cannabis differently based on differences in the*

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cost of manufacturing or processing, the quantities sold, such volume discounts, or the way the products are delivered. [410 ILCS 705/35-25(e)]

- j) An Infuser License is issued upon the following condition: *An infuser may share premises with a craft grower or a dispensing organization, or both, provided each licensee stores currency and cannabis or cannabis-infused products in a separate secured vault to which the other licensee does not have access or all licensees sharing a vault share more than 50% of the same ownership. [410 ILCS 705/35-25(l)]*
- k) An Infuser License is issued upon the following condition: *It is unlawful for any person or entity having an Infuser License or any officer, associate, member, representative or agent of such licensee to offer or deliver money, or anything else of value, directly or indirectly to any person having an Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act, or to any person connected with or in any way representing, or to any member of the family of, such person holding an Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act, or to any stockholders in any corporation engaged in the retail sales of cannabis, or to any officer, manager, agent, or representative of the Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act to obtain preferential placement within the dispensing organization, including, without limitation, on shelves and in display cases where purchasers can view products, or on the dispensing organization's website. [410 ILCS 705/35-25(m)]*

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1300.420 License Renewal

- a) Every Infuser License shall expire annually on the date it was issued.

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- b) Every renewal application for a license issued pursuant to this Part and accompanied by the proper fees shall be filed annually with the Department at least 45 calendar days prior to the date the existing license expires.
- c) The Department will send written notification of expiration to each licensed infuser at least 90 days prior to expiration. However, failure to receive a renewal form from the Department will not excuse the infuser from paying the renewal fee or renewing the license prior to its expiration.
- d) *The Department will grant a renewal application within 45 days of submission of a renewal application if:*
 - 1) *The registered infuser submits a renewal application and the required renewal fee of \$20,000;*
 - 2) *The Department has not suspended the license of the infuser or suspended or revoked the registration for violation of the Act or this Part;*
 - 3) *The infuser has continued to operate in accordance with all plans submitted as part of its application and approved by the Department or any amendments thereto that have been approved by the Department;*
 - 4) *The infuser has submitted an agent, employee, contracting, and subcontracting diversity report to the Cannabis Regulation Oversight Officer as required by the Department; and*
 - 5) *The infuser has submitted an environmental impact report as required by the Act. [410 ILCS 705/35-40(a)]*
- e) *If an infuser fails to renew its license before expiration, it shall cease operations until its license is renewed. [410 ILCS 705/35-40(b)]*
- f) Upon request for renewal, the Department will consider the licensee's history of compliance with requirements of the Act and this Part, the number and severity of any violations and the correction of those violations, as well as penalties or fines imposed or any other enforcement actions.
- g) The Department may deny a renewal after consideration of the licensee's history of compliance.

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- h) The Department shall not assess the renewal fee in subsection (d) above for the two annual license renewal applications submitted by a craft grower after the effective date of this subsection. The renewal fee in subsection (d) shall be imposed on the craft grower's third annual renewal application submitted after the effective date of this rule.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1300.430 Modifications and Alterations

- a) A license shall be amended before the commencement of any modification to the facility. This includes any change that modifies the approved license design capability of production or process areas, including change of capacity, efficiency or processes.
- b) Before making any modification to a licensed facility, the infuser must complete an Application for License and Construction Approval and submit the application with the appropriate schedules to the Department. The fee for an applicant to make modifications to an infuser shall be \$~~1,000~~1,250. ~~In addition, upon approval of the application, the applicant shall pay an additional fee of \$750.~~
- c) An amendment to the license shall not be required for alterations at the facility. The fee for an application to reflect an alteration of the infuser's facility, other than an expansion, shall be \$~~125~~250.
- d) For any fee paid by a licensee prior to September 1, 2024 that was higher than the amounts identified in this Section, the Department shall refund the difference in fee paid prior to the reduction in the fee amount.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1300.470 Operations – General Requirements

- a) Each facility shall develop and maintain an Operations and Management Practices Plan for each production area.
- b) Each production area shall be maintained free of debris.

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- c) All persons working in direct contact with cannabis or cannabis-infused products shall conform to hygienic practices while on duty, including but not limited to the following:
- 1) Litter and waste shall be properly removed and the operating systems for waste disposal shall be maintained in an adequate manner so that they do not constitute a source of contamination in areas where cannabis or cannabis-infused products are exposed;
 - 2) Floors, walls and ceilings shall be constructed in a manner that they may be adequately kept clean and in good repair;
 - 3) There shall be adequate lighting in all areas where cannabis and cannabis-infused products are stored and where equipment or utensils are cleaned;
 - 4) Rubbish shall be disposed of to minimize the development of odor and minimize the potential for the waste becoming an attractant, harborage or breeding place for pests;
 - 5) Any buildings, fixtures and other facilities shall be maintained in a sanitary condition;
 - 6) Toxic cleaning compounds, sanitizing agents, and solvents used in the production of cannabis concentrates shall be identified, held and stored in a manner that protects against contamination of cannabis, and in a manner that is in accordance with any applicable local, State or federal law, rule, regulation or ordinance;
 - 7) Only sanitizing agents registered with the Department pursuant to the Illinois Pesticide Act shall be used by infusers, and they shall be used in accordance with labeled instructions;
 - 8) All operations in the receiving, inspecting, transporting, segregating, preparing, production, packaging and storing of cannabis or cannabis-infused product shall be conducted in accordance with adequate sanitation principles.
- d) Any person who, by medical examination or supervisory observation, is shown to have, or appears to have, an illness, open lesion (e.g., boils, sores or infected

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wounds), or any other abnormal source of microbial contamination for whom there is a reasonable possibility of contact with cannabis shall be excluded from any operations that may be expected to result in microbial contamination until the condition is corrected.

- e) Each infuser shall provide its employees with adequate and readily accessible toilet facilities that are maintained in a sanitary condition and good repair.
- f) All operations in the receiving, inspecting, transporting, segregating, preparing, producing, packaging and storing of cannabis and cannabis-infused products shall be conducted in accordance with adequate sanitation principles.
- g) All cannabis plants and cannabis products shall utilize the cannabis plant monitoring system as required under Subpart K of this Part.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1300.485 Security

- a) An infuser shall be required to operate and maintain in good working order a 24 hour, 7 days a week, closed-circuit television (CCTV) surveillance system on the premises that complies with the following minimum standards:
 - 1) Visually records and monitors all building entrances and exits, all parking lot areas, and rear alley areas immediately adjacent to the building, and covers the entire inside of the facility, including all limited access areas and all areas where cannabis is produced, stored, shipped or destroyed, but does not include restrooms nor the executive office. Fixed cameras shall be installed to provide a consistent recorded image of these areas. The ~~infuser~~~~cultivation center~~ shall instruct the company or individuals installing the surveillance cameras to maximize the quality of facial and body images and to avoid backlighting and physical obstructions;
 - 2) Cameras installed outdoors and in low-light interior areas shall be day/night cameras with a minimum resolution of 600 lines per inch (analog) or D1 (IP) and a minimum light factor requirement of 0.7 LUX. The installation of additional lighting may be required to increase picture clarity and brightness. Cameras shall be calibrated and focused to maximize the quality of the recorded image;

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- 3) The recording device shall be digital and meet the following minimum standards:
 - A) Displays a date and time stamp on all recorded video;
 - B) Can produce a digital video disc using an installed media recording drive. The video on the disc shall be viewable on any Windows PC. The disk shall include any required player software;
 - C) The ability to remain operational during a power outage for an unlimited amount of time;
 - D) Allow for the exporting of still images in an industry standard image format, including .jpg, .bmp and .gif. Exported video shall have the ability to be archived in a proprietary format that ensures authentication of the video and guarantees that no alteration of the recorded image has taken place. Exported video shall also have the ability to be saved in an industry standard file format that can be played on a standard computer operating system. All recordings shall be erased or destroyed prior to disposal;
- 4) A display monitor with a minimum screen size of 12 inches shall be connected to the electronic recording security system at all times;
- 5) Electronic recording security systems are required to be maintained in good working order at all times. The owner of an infuser shall instruct each manager, employee or agent overseeing the functioning of the video recording security system to immediately report to the agent-in-charge any malfunctioning or technical problems with the system;
- 6) Security recordings shall meet the following minimum requirements:
 - A) The recorded image resolution shall be at least D1; and
 - B) The recorded image frame rate shall be at least 3 frames per second during alarm or motion-based recording;

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- 7) Security recordings shall be retained by the infuser for a minimum of 90 days either at the licensed facility or via off site storage that can be digitally accessed at any time~~at the licensed premises and an additional 90 days off site (e.g., cloud storage)~~. The recording system for the security cameras must be located in a locked, tamper-proof compartment;
 - 8) Have available a video printer capable of immediately producing a clear still photo from any video camera image; and
 - 9) Upon request, the recording or any photo shall be turned over to ISP or the Department.
- b) Access to surveillance areas shall be limited to persons who are essential to surveillance operations, law enforcement agencies, security system service personnel, the Department, and others when approved by the Department. A current list of authorized employees and service personnel that have access to the surveillance room must be available to the Department upon request. Surveillance rooms shall remain locked.
- c) The electronic security system shall be available 24 hours per day, 7 days per week, to the Department and law enforcement agencies via a secure web-based portal with forward and backward playback capability.
- d) No person, except infuser agents, local law enforcement, the Department or the Department's authorized representative, DPH inspectors, or other federal, State or local government officials when necessary to perform their governmental duties, shall be allowed on the premises of a infuser, except that:
- 1) Laboratory staff may enter an infuser for the sole purpose of identifying and collecting cannabis samples for purposes of conducting laboratory tests;
 - 2) Emergency personnel may enter an infuser when necessary to perform their duties;
 - 3) Upon written notice to the Department, an infuser may allow contractors to enter an infuser when they are working on a job unrelated to ~~medical~~ cannabis, such as installing or maintaining security devices or performing electrical wiring; and

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- 4) Upon prior written request, the Department or the Department's authorized representative may permit other persons to enter an infuser.
- e) All persons who are not infuser agents, but who are permitted on the premises of a infuser pursuant to subsection (b), shall obtain a visitor identification badge from infuser personnel prior to entering the infuser, and shall be escorted and monitored at all times by infuser personnel. The visitor identification badge shall be visibly displayed at all times while the visitor is in the infuser. All visitors, after presenting valid government issued identification with a picture, shall be logged in and out, and that log shall include the date, time and purpose of the visit and shall be maintained and made available to the Department, at any time, for a period of five years. All visitor identification badges shall be returned to the infuser personnel upon the visitor exiting the infuser.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1300.490 Processor License

- a) Eligibility.
- 1) Licensed infusers are permitted to apply for a processor license as described in this Section. Only after an application is approved and a processor license is issued may an infuser begin processing activities.
 - 2) Infusers must be in good standing with the Department, meaning there are no outstanding fees or required information owed to the Department and no pending enforcement proceedings or active investigations, to be issued a processor license.
- b) Operations. An infuser with a processor license may:
- 1) Perform the extraction of cannabis concentrate from cannabis.
 - 2) Produce and incorporate cannabis concentrate into a cannabis-infused product.
 - 3) Produce a final form cannabis concentrate product such as vape cartridges, Rick Simpson oil, rosin, wax, budder, or other concentrate.

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- 4) Process cannabis into a final form packaged pre-roll product or enhanced pre-roll product.

c) Application.

- 1) The application shall be in a form and format provided by the Department.
- 2) The application must be completed in its entirety and submitted as identified by the Department in the application or on its website.
- 3) A non-refundable fee of \$1,000 must be submitted with the application.
- 4) The application shall include, but not be limited to, the following information:
 - A) *Description of the applicant's experience with the extraction, processing, or infusing of oils similar to those derived from cannabis, or other business practices to be performed by the infuser [410 ILCS 705/35-31(f)(1)].*
 - B) *A description of the applicant's experience with manufacturing equipment and chemicals to be used in processing [410 ILCS 705/35-31(f)(2)].*
 - C) *A description or explanation of the applicant's expertise in relevant scientific fields [410 ILCS 705/35-31(f)(3)].*
 - D) *A commitment that any cannabis waste, liquid waste, or hazardous waste shall be disposed of in accordance with applicable waste disposal Department administrative rules [410 ILCS 705/35-31(f)(4)].*
 - E) The types of processing that the infuser plans to conduct.

d) License.

- 1) *The Department may only issue a processor license to an infuser if it determines, based on the information provided in the application, that the*

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infuser will process cannabis in a safe and compliant manner. [410 ILCS 705/35-31(g)]

- 2) A processor license will run concurrently with the infuser license.
 - 3) Processor licenses shall be renewed annually, as part of the renewal of the infuser license.
 - 4) The processor license status is dependent on the underlying infuser license. In the event the underlying infuser license is suspended, revoked, surrendered, transferred, or moves locations, the processor license will follow suit.
 - 5) The processor's licensed operations shall be based on the content in its application.
 - 6) Any intended operational changes of the processor shall be handled as a modification or alteration as provided for in Section 1300.430 of these rules.
- e) Inspection.
- 1) The Department shall conduct an inspection prior to license issuance. The Applicant must remedy or address any issues identified in any inspection to the Department's satisfaction before the license is issued.
 - 2) The Department reserves the right to require an inspection prior to issuing a license renewal. If an inspection is conducted, licensee must remedy any issues identified in the inspection to Department's satisfaction.
 - 3) If the processor plans to extract cannabis concentrate, the processor shall submit a field verification report for all extraction equipment to the Department on an annual basis. The field verification report must be completed on-site by the engineer of record or another qualified person acceptable to the Department. This inspection will focus on ensuring the processor's equipment and facility are designed, installed, and maintained such that people and property are satisfactorily protected from potentially dangerous fire, flash fire, and explosion conditions during extraction.

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(Source: Added at 49 Ill. Reg. _____, effective _____)

SUBPART F: TRANSPORTERS

Section 1300.540 License Issuance and Transferability

- a) Information and Plans Provided in Application
Licenses are only issued for the plan as stated in the applicant's application.
Should the applicant be awarded a Transporter License, the information and plans that an applicant provided in its application, shall be a mandatory condition of the permit. Any variation from or failure to perform those plans may result in discipline, including the revocation or nonrenewal of a license. [410 ILCS 705/20-20(c)]
- b) License Fee
Upon the notice of intent to award, the applicant must pay a fee of \$10,000 to receive the Transporter License. The fee may be prorated based on the date of the license award.
- c) Transferability – Change of Business Location
A Transporter License shall be issued for the specific location identified on the application, and is valid only for the owner, premises and name designated on the license and the location for which it is issued.
 - 1) A Transporter License is not transferable to a new location without Department approval.
 - 2) In the event that the Department approves the new location as meeting all requirements of the Act and this Part, the transporter shall have a transition period of no more than 90 days, approved by the Department, to transfer its equipment and begin operations at the new location.
 - A) The transition period shall not begin until the new location is in full compliance with the requirements of the Act and this Part.
 - B) The transporter may not transfer cannabis containers using the new location prior to the beginning date of this approved transition period.

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- 3) Upon inspection and verification by the Department that the new location is in compliance with the Act and this Part, the Department will issue a license modification reflecting the new location. The modified license shall have the same expiration date as the previously issued license.
- d) **Transferability – Change in Ownership**
A Transporter License shall be issued for the specific applicant identified in the application and shall not be transferable in whole or in part, with the following exceptions:
 - 1) A Transporter License may be reissued, without charge, solely in the name of the surviving spouse or domestic partner of a deceased licensee if the license was issued in the names of both of the parties;
 - 2) A Transporter License may be transferred, without charge, to an heir of a deceased licensee other than as provided in subsection (b)(1), as determined by the Probate Act of 1975. For the purpose of considering the qualifications of the heir to receive a Transporter License, the Department will require a criminal background check and the heir will be subject to all other requirements of the Act and this Part;
 - 3) The proposed change of any person or principal officer of a transporter must be reported to the Department and Department approval must be obtained before the changes are made. ~~A fee of \$250 will be charged for the processing of any such change.~~
- e) **Transferability – Sale of Business**
The proposed sale of any outstanding or issued stock of a corporation licensed under the Act, or any proposed change in the officers or board members of the corporation, must be reported to the Department and Department approval must be obtained before the changes are made. A fee of \$500 will be charged for the processing of the change of stock ownership or corporate officers or board members.
- f) **Non-Transferability – No Lease or Sublease**
A Transporter License shall not be leased or subcontracted, in whole or in part.
- g) At the time of license issuance, the transporter shall have in place operating documents that *shall include procedures for the oversight of the transporter, an*

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inventory monitoring system including a physical inventory recorded weekly, accurate recording keeping, and a staffing plan. [410 ILCS 705/40-25(a)]

- h) The transporter shall submit to the Department the license plate numbers, proof of insurance, and vehicle identification numbers for each vehicle being used to transport cannabis or cannabis-infused products. The Department will issue a registration certificate for each vehicle being used to transport cannabis or cannabis-infused products. Upon receipt of the registration certificate and placement of a copy of the certificate into the vehicle, the vehicle may be used for the transportation of cannabis and cannabis-infused products.
- i) The transporter has a continuing duty to update and promptly disclose to the Department any changes to the information contained in the application and attachments to, and amendments of, the application.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1300.596 Transfer Sites**a) Approval.**

- 1) Prior to operating a transporter transfer site, a transporter must submit their plans for a transporter transfer site as a modification, as described in Section 1300.560.
- 2) Department shall review and approve the transporter transfer site plan through the modification process.
- 3) Transporters shall not use a transfer site until such site and its plans have written Department approval.
- 4) No transporters may operate more than two transfer sites.

b) Transfer Site Facility Specifications.

- 1) A transporter transfer site shall be a facility, as defined in these rules at Section 1300.10.

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- 2) The transfer site facility shall be a fully enclosed from the outdoors facility, with locks or other security devices that permit access only by authorized individuals.
- 3) The facility structure shall be at least large enough to allow for two of the largest vehicles used by the transporter, registered with the Department, to have all doors and trunk or hatch open, with sufficient room for an individual to walk around each vehicle without encumbrance.
- 4) A transporter transfer site shall be separate from any other cannabis business establishment facility, in that there shall be no direct access from the transfer site into the cannabis business establishment. A transporter transfer site may be adjacent to a cannabis business establishment or part of the same overall physical facility.

c) Operation.

- 1) All transfers of cannabis and cannabis product at a transporter transfer site shall be documented in the cannabis plant monitoring system.
- 2) Transporters are not permitted to store cannabis or cannabis products at a transfer site overnight or for any period of time in which the transport vehicle is not present.
- 3) The facility shall be maintained in a sanitary condition.
- 4) Transporters shall follow and comply with their operations plan and any other requirements and restrictions of the license in the operation of a transfer site.
- 5) The transfer site shall only be used for the transfer of cannabis and cannabis products from one transport vehicle to another. The facility shall not be used for any other purpose.
- 6) All transfers must take place with all transfer site access points closed, out of "ordinary public view", as that term is defined at 410 ILCS 705/1-10.

d) Security.

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- 1) Transporter transfer sites shall be equipped with cameras and be required to operate and maintain in good working order a 24-hour 7-days a week closed circuit television surveillance system capable of capturing entrances, exits and the area where transfer operations occur.
- 2) The electronic security system shall be available 24 hours per day 7 days per week to the Department and the Illinois State Police via a secure web-based portal with forward and backward playback abilities.
- 3) Security recordings shall be retained by the transporter for a minimum of 90 days either at the licensed premises, transfer site or an off-site cloud storage.

(Source: Added at 49 Ill. Reg. _____, effective _____)

SUBPART H: LABORATORY TESTING

Section 1300.700 Laboratory Testing

- a) Immediately prior to manufacturing or natural processing of any cannabis or cannabis-infused product or packaging cannabis for sale to a dispensary, each batch shall be made available at the cultivation center, craft grower, or infuser, for an employee of an approved laboratory to select a random sample, which shall be tested by the approved laboratory for:
 - 1) Microbiological contaminants;
 - 2) Mycotoxins;
 - 3) Pesticide active ingredients;
 - 4) Residual solvent;
 - 5) Heavy metals; and
 - 6) An active ingredient analysis.

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- b) The Department may select a random sample that, for the purposes of conducting an active ingredient analysis, shall be tested by the Department for verification of label information.
- c) A representative sample must be a minimum sample volume of not less than 7 grams, but is not required to be more than 15 grams per batch, and must consist of different parts of the batch to ensure proportionate representation.
- d) Batch limits for cured flower are limited to a maximum of 20 pounds.
- e) A representative sample shall be taken from each final batch of product and must pass all testing requirements before offered for sale to the public.
- f) A laboratory shall immediately return or dispose of any cannabis upon the completion of any testing, use or research. If cannabis is disposed of, it shall be done in compliance with 8 Ill. Adm. Code 100.460.
- g) If a sample of cannabis does not pass the microbiological, mycotoxin, pesticide chemical residue, heavy metals, or solvent residue test, based on the standards set forth in this Section, the following shall apply:
 - 1) If the sample failed the pesticide chemical residue test, the entire batch from which the sample was taken shall be recalled, as provided for in the cannabis business organization's Operations and Management Plan, if applicable, and disposed of in accordance with Subpart I (Destruction of Cannabis).
 - 2) If the sample failed any other test, the batch may be used to make a CO₂ or solvent based extract. After processing, the CO₂ or solvent based extract must still pass all required tests.
- h) Microbiological Test
 - 1) For purposes of the microbiological test, a cannabis sample shall be deemed to have passed if it satisfies the recommended microbial and fungal limits for cannabis products in colony forming units per gram (CFU/g) set out in the American Herbal Pharmacopoeia Monograph Table, as follows:

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	Total viable aerobic bacteria	Total yeast and mold	Total coliforms	Bile-tolerant gram-negative bacteria	E. coli (pathogenic strains) and Salmonella spp.
CO₂ and solvent based extracts	10 ⁴	10 ³	10 ²	10 ²	Not detected in 1 g

- 2) Unprocessed materials include minimally processed crude cannabis preparations, such as inflorescences, accumulated resin glands (kief), and compressed resin glands (hashish). Processed materials include various solid or liquid infused edible preparations, oils, topical preparations, and water-processed resin glands (bubble hash).

- i) Mycotoxin Test. For purposes of the mycotoxin test, a cannabis sample shall be deemed to have passed if it meets the following standards:

Test	Specification
Aflatoxin B1	<20 µg/kg of substance
Aflatoxin B2	<20 µg/kg of substance
Aflatoxin G1	<20 µg/kg of substance
Aflatoxin G2	<20 µg/kg of substance
Ochratoxin A	<20 µg/kg of substance

- j) Heavy Metals Test. For the purposes of the heavy metals test, a cannabis sample shall be deemed to have passed if it meets the following standards:

Heavy Metal	Specification
Lead	<1.0 ppm for all products
Inorganic Arsenic	<0.4 ppm for inhaled products <1.5 ppm for other products
Mercury	<0.2 ppm for inhaled products <3.0 ppm for other products
Cadmium	<0.2 ppm for inhaled products <0.5 ppm for other products
Chromium	<0.6 ppm for inhaled products

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<2.0 ppm for other products

- k) Pesticide Chemical Residue Test. For purposes of the pesticide chemical residue test, a cannabis sample shall be deemed to have passed if it satisfies the most stringent acceptable standard for a pesticide chemical residue in any food item, as set forth in subpart C of USEPA's regulations for Tolerances and Exemptions for Pesticide Chemical Residues in Food (40 CFR 180 (2014)).
- l) Residue Solvent Test. For purposes of the residue solvent test, a cannabis sample shall be below the following limits.

	Intended for Inhalation	Not Intended for Inhalation
Acetone	750 ppm	5000 ppm
Butane	800 ppm	5000 ppm
Ethanol	1000 ppm	5000 ppm
Ethyl Acetate	400 ppm	5000 ppm
Ethyl Ether	500 ppm	5000 ppm
Ethylene Oxide	5 ppm	50 ppm
Heptane	500 ppm	5000 ppm
Hexane	50 ppm	290 ppm
Isopropyl Alcohol	500 ppm	5000 ppm
Methanol	250 ppm	3000 ppm
Methylene Chloride	125 ppm	600 ppm
Pentane	750 ppm	5000 ppm
Petroleum Ether	400 ppm	400 ppm
Propane	2100 ppm	5000 ppm
Trichloroethylene	25 ppm	80 ppm
Toluene	150 ppm	890 ppm
Total Xylenes	150 ppm	2170 ppm

- m) The laboratory shall file with the Department an electronic copy, at the same time that it transmits those results to the cultivation center, of each laboratory test result for any batch that does not pass the microbiological, mycotoxin, heavy metals, or pesticide chemical residue test. In addition, the laboratory shall maintain the laboratory test results for at least 5 years and make them available at the Department's request.

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- n) A cultivation center, craft grower, or infuser shall provide to a dispensary organization the laboratory test results for each batch of cannabis or cannabis product purchased by the dispensary organization, if sampled. Each dispensary organization shall have those laboratory results available upon request from purchasers of cannabis and cannabis products.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

SUBPART J: CANNABIS PACKAGING AND LABELING

Section 1300.900 Registration

- a) *Each cannabis product produced for sale shall be registered with the Department on forms provided by the Department. Each product registration shall include a label and the required registration fee. [410 ILCS 705/55-21(a)]*
- b) Each cannabis product registration shall include the most applicable final form item category available for selection in the cannabis plant monitoring system.
- c) Item categories and examples of items in categories that use a term defined in the Act or these rules shall be understood to be using that defined term.
- d) The categories include, but are not limited, to:
- 1) Cannabis
- A) Packaged flower;
- B) Packaged pre-roll; and
- C) Enhanced pre-roll or enhanced flower;
- 2) Cannabis Concentrate
- A) RSO (Rick Simpson Oil);
- B) Vape cartridge; and
- C) Concentrate.

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- 3) Cannabis Infused Product
- A) Edible food;
- B) Beverage;
- C) Topical;
- D) Tincture; and
- E) Capsule and tablets.
- e) The Department reserves the right to update or change the categories identified in subsection (d). In such an event, the Department shall provide guidance on its website to assist with the selection of the proper category.
- f) Each strain, strain type, flavor, or scent, or other variation of a final product intended to be offered for sale must be separately registered. Registrations covering multiple variations of a final product are prohibited, except for variations in package sizes.
- g) The information contained in the product registration shall match the product offered for sale at all times.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1300.910 Registration Fee

- a) *The registration fee is for the name of the product offered for sale and one fee shall be sufficient for all package sizes. [410 ILCS 705/55-21(a)]*
- b) The fee to register a product with the Department shall be \$~~25~~~~100 per product name~~.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1300.930 Labeling Requirements

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- a) The requirements of this Section are effective beginning on August 1, 2020. Prior to August 1, 2020, all licensees may conform with the requirements set forth in 8 Ill. Adm. Code 1000.420 and in Section 1300.10.
- b) *Each cannabis product shall be labeled before sale and each label shall be securely affixed to the package and shall state in legible English:*
 - 1) *The name and post office box of the registered cultivation center or craft grower where the item was manufactured;*
 - 2) *The common or usual name of the item and the registered name of the cannabis product that was registered with the Department under Section 1300.900;*
 - 3) *A unique serial number that will match the product with a cultivation center or craft grower batch and lot number to facilitate any warnings or recalls the Department, cultivation center, or craft grower deems appropriate;*
 - 4) *The date of final testing and packaging, if sampled, and the identification of the independent testing laboratory;*
 - 5) *The date of harvest for flower products or the date of manufacture for infused products and "use by" date;*
 - 6) *The quantity (in ounces or grams) of cannabis contained in the product;*
 - 7) *A pass/fail rating based on the laboratory's microbiological, mycotoxins, and pesticide and solvent residue analyses, if sampled;*
 - 8) *A content list that includes:*
 - A) *The minimum and maximum percentage content by weight for:*
 - i) *delta-9-tetrahydrocannabinol (THC);*
 - ii) *tetrahydrocannabinolic acid (THCA);*
 - iii) *cannabidiol (CBD);~~and~~*

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- iv) *cannabidiolic acid (CBDA);~~and~~*
- ~~vB)~~ *All other ingredients of the item, including any colors, artificial flavors, and preservatives, listed in descending order by predominance of weight shown with common or usual names;:-*
- vi) any other cannabinoids.
- B) The total THC amount.
- C) The total THC amount and the cannabinoid content may be listed in milligrams for cannabis infused products.
- ~~DE)~~ *The acceptable tolerances for the minimum percentage or milligrams printed on the label for any of subsection (b)(8)(A) shall not be below 85% or above 115% of the labeled amount.*
[410 ILCS 705/55-21(e)]
- E) An indication that the product contains hemp, if applicable.
- 9) Directions in legible Spanish that provide access via an electronic link or other medium to the product labeling information required within this subsection (b).
- c) *Packaging must not contain information that:*
 - 1) *Is false or misleading;*
 - 2) *Promotes excessive consumption;*
 - 3) *Depicts a person under 21 years of age consuming cannabis;*
 - 4) *Includes the image of a cannabis leaf;*
 - 5) *Includes any image designed or likely to appeal to minors, including cartoons, toys, animals, or children, or any other likeness to images, characters, or phrases that are popularly used to advertise to children, or*

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any packaging or labeling that bears reasonable resemblance to any product available for consumption as a commercially available candy, or that promotes consumption of cannabis; or

- 6) *Contains any seal, flag, crest, coat of arms, or other insignia likely to mislead the purchaser to believe that the product has been endorsed, made, or used by the State of Illinois or any of its representatives except where authorized by this Part. [410 ILCS 705/55-21(f)]*
- d) *Cannabis products produced by concentrating or extracting ingredients from the cannabis plant shall contain the following information, when applicable:*
 - 1) *If solvents were used to create the concentrate or extract, a statement that discloses the type of extraction method, including any solvents or gases used to create the concentrate or extract; and*
 - 2) *Any other chemicals or compounds used to produce or were added to the concentrate or extract. [410 ILCS 705/55-21(g)]*
- e) *No individual other than the purchaser may alter or destroy any labeling affixed to the primary packaging of cannabis or cannabis-infused products. [410 ILCS 705/55-21(l)]*

(Source: Amended at 49 Ill. Reg. _____, effective _____)

SUBPART K: CANNABIS PLANT MONITORING SYSTEMSection 1300.1000 General Requirements

- a) Each Department licensed cannabis business establishment shall use the State-designated cannabis plant monitoring system as its system of record to track cannabis and cannabis products while in the licensee's possession.
- b) Department licensed cannabis business establishments shall create and maintain an account within the cannabis plant monitoring system designated by the Department prior to engaging in the cultivation, production, sale or transfer of cannabis and cannabis products.

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- c) All cannabis and cannabis products in a Department licensed cannabis business establishment enclosed, locked facility must be accounted for in the cannabis plant monitoring system at all times.
- d) A Department licensed cannabis business establishment is responsible for the accuracy and completeness of all data and information entered into the cannabis plant monitoring system. The licensee is responsible for all actions in the system taken by its account users.
- e) No agent, agent in charge, principal officer, or anyone otherwise affiliated with a Department licensed cannabis business establishment shall intentionally misrepresent or falsify information entered into the cannabis plant monitoring system, or direct or permit another to intentionally misrepresent or falsify information entered into the cannabis plant monitoring system.

(Source: Added at 49 Ill. Reg. _____, effective _____)

Section 1300.1010 Tag Requirements

- a) A Department licensed cannabis business establishment shall only use plant tags and package tags distributed by the Department or the Department's designee.
- b) A Department licensed cannabis business establishment shall only use plant tags and package tags assigned in the cannabis plant monitoring system to that licensee.
- c) A Department licensed cannabis business establishment shall not transfer any unused plant tags or product tags in their possession to any other licensee or entity.
- d) Tags provided to the licensee by the State shall not be removed from the State of Illinois.
- e) Plant tags and package tags shall be discarded after they are no longer required for use as provided for in this Subpart K.
- f) Department licensed cannabis business establishments shall record any plant tags or package tags in the cannabis plant monitoring system within three calendar days of receipt.

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(Source: Added at 49 Ill. Reg. _____, effective _____)

Section 1300.1020 Tagging of Cannabis Plants and Products

- a) At the time of planting, immature plants of a uniform strain or cultivar may be grouped together under a single plant tag as a plant batch. The plant batch shall be:
 - 1) Labeled with the unique serial number;
 - 2) Placed contiguous to one another; and
 - 3) Be physically fully separated from any other plant or plant batch.
- b) Once a plant reaches 16 inches in height, it shall be assigned its own individual plant tag.
- c) Individual cannabis plants shall be tagged as follows:
 - 1) A plant tag shall be attached to the main stem at the base of each plant, placed in a position so it is visible and within clear view of an individual standing next to the plant, and kept free from dirt and debris.
 - 2) Department licensed cannabis business establishments are prohibited from removing the plant tag from the plant to which it was attached and assigned until the plant is harvested, destroyed, or disposed of.
- d) Harvest batches
 - 1) Harvested plants that are hanging, drying, or curing shall maintain their plant tag or unique serial number on the plant, or placed within clear view of the harvested plants.
 - 2) Department licensed cannabis business establishments shall assign a unique harvest batch name, and shall record it in the cannabis plant monitoring system.
 - 3) The harvest batch name shall be placed within clear view near that batch.

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- 4) Harvested plants which have finished undergoing any applicable drying, curing, grading, and trimming shall be assigned a package tag and recorded in the cannabis plant monitoring system.
- e) When cannabis and or cannabis products are held in a container, the package tag shall be affixed to the container holding the cannabis and or cannabis products. If cannabis and or cannabis products are held in multiple containers, the package tag shall be affixed to one of the containers and the other containers shall be labeled with the applicable unique serial number. All containers with the same unique serial number shall be placed contiguous to one another.

(Source: Added at 49 Ill. Reg. _____, effective _____)

Section 1300.1030 Reporting

- a) All cultivation and production activities of a Department licensed cannabis business establishment shall be recorded in the cannabis plant monitoring system by that licensee upon completion of the activity.
- b) Recorded activities include, but are not limited to:
- 1) Receipt of cannabis or cannabis products;
 - 2) Rejection of transferred cannabis or cannabis products;
 - 3) Any activity that changes the physical form or chemical form or item category of cannabis or cannabis-infused products, including extraction, distillation, infusion, or formulation into edibles, topicals, or concentrates;
 - 4) Destruction or waste of cannabis or cannabis products;
 - 5) Packaging or repackaging of cannabis or cannabis products;
 - 6) Sale of cannabis or cannabis products, including the agreed upon price or value of the transaction that involves a cannabis or cannabis product transfer;
 - 7) Harvests, including the wet weight of each harvest batch;

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- 8) Movement of cannabis and cannabis products within the facility; and
- 9) Plantings.
- c) The information recorded in the cannabis plant monitoring system for each activity shall be:
 - 1) The type of cannabis or cannabis products;
 - 2) The weight, volume, or count of the cannabis or cannabis products;
 - 3) The date of activity;
 - 4) The unique serial number assigned to the cannabis or cannabis products; and
 - 5) Conversion rate or formula, if applicable.

(Source: Added at 49 Ill. Reg. _____, effective _____)

Section 1300.1040 Transfer of Cannabis and Cannabis Products

- a) A Department licensed cannabis business establishment shall prepare a manifest, through the cannabis plant monitoring system, prior to transferring cannabis and cannabis products from its facility to another cannabis business establishment.
- b) The following information shall be recorded on the manifest by the licensee initiating the transfer:
 - 1) The name, license number, and premises address of the originating licensee;
 - 2) The name and license number of the transporter transporting the cannabis and cannabis products;
 - 3) The name, license number, and premises address of the destination cannabis business establishment;

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- 4) The unique serial number of all items being transferred;
 - 5) The item name, item category, and weight or count of cannabis or cannabis products associated with each package tag for all items being transferred;
 - 6) The estimated date and time of departure from the licensee initiating the transfer;
 - 7) The estimated date and time of arrival at the destination cannabis business establishment;
 - 8) The driver's license numbers of the personnel transporting the cannabis and cannabis products; and
 - 9) The make, model, and license plate number of the vehicles used for transport.
- c) The transporter who transports the cannabis or cannabis product shall record the following additional information on the shipping manifest:
- 1) The actual date and time the transporter departed with the manifested product from the originating cannabis business establishment licensed premises and/or transfer site;
 - 2) The actual date and time of arrival of the transporter at the destination cannabis business establishment's licensed premises, or transfer site; and
 - 3) Any changes or updates to information on the manifest related to personnel or vehicles used.

(Source: Added at 49 Ill. Reg. _____, effective _____)

Section 1300.1050 Loss of Access and System Reconciliation

- a) If, at any point, a Department licensed cannabis business establishment loses access to the cannabis plant monitoring system for any reason, the licensee shall prepare and maintain comprehensive records detailing all activities required to be reported under this Section that were conducted during the loss of access.

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- b) A Department licensed cannabis business establishment shall notify the Department of any loss of access no later than the end of the business day in which the loss of access was discovered.
- c) The Department licensed cannabis business establishment shall not initiate transport for, receive, or deliver any cannabis or cannabis products until such time as access is restored.
- d) Once access has been restored, the licensee shall:
 - 1) Within three business days, enter all activities that occurred during the loss of access into the cannabis plant monitoring system.
 - 2) Document the cause for loss of access, the dates and times for when access to the cannabis plant monitoring system was lost, and the dates and times for when access was restored.

(Source: Added at 49 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Chief Procurement Officer for the Department of Transportation – Contract Procurement
- 2) Code Citation: 44 Ill. Adm. Code 6
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
6.1100	New Section
6.1110	New Section
6.1120	New Section
6.1130	New Section
6.1140	New Section
6.1150	New Section
6.1160	New Section
6.1170	New Section
6.1180	New Section
6.1190	New Section
6.1200	New Section
6.1210	New Section
6.1220	New Section
6.1230	New Section
6.1240	New Section
6.1250	New Section
6.1260	New Section
- 4) Statutory Authority: Implementing and authorized by Section 15 and Section 19 of Public-Private Partnership for Transportation Act [630 ILCS 5].
- 5) A Complete Description of the Subjects and Issues Involved: Public Act 103-865 (effective January 1, 2025) amended the Public-Private Partnership for Transportation Act by introducing the unsolicited proposal submittal process for projects to be developed and implemented under the public-private partnership agreement that is not considered a response to a formal or informal request issued by a responsible public entity. The rule recites conditions for the use of the new procedures for receiving, reviewing and implementing unsolicited proposals that must be followed to enter the agreement under the unsolicited proposal process. Additionally, the rule contains specifications for the maintenance of project records, information confidentiality, and terms and conditions that must be included in awarded contracts.

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- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This proposed rulemaking does not create or expand a State mandate under Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice to:

Mr. Bill Grunloh, Chief Procurement Officer
Chief Procurement Office
Illinois Department of Transportation
2300 S. Dirksen Parkway
Springfield IL 62764

(217) 558-5434
IDOT.AdminRules@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: This rulemaking may affect small businesses that bid on construction contracts.
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None

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- 14) Small Business Impact Analysis: The CPO does not anticipate this rulemaking will have an adverse impact on small businesses.
- 15) Regulatory Agenda on which this rulemaking was summarized: July 2025

The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 44: GOVERNMENT CONTRACTS, GRANTMAKING,
PROCUREMENT AND PROPERTY MANAGEMENT
SUBTITLE A: PROCUREMENT AND CONTRACT PROVISIONS
CHAPTER III: CHIEF PROCUREMENT OFFICER FOR
THE DEPARTMENT OF TRANSPORTATION

PART 6

CHIEF PROCUREMENT OFFICER FOR
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Section

- 6.10 Authority
- 6.20 Policy and Application
- 6.30 Purpose and Policy Interpretations
- 6.40 Definitions

SUBPART B: PUBLICATION OF PROCUREMENT INFORMATION

Section

- 6.50 Transportation Procurement Bulletin
- 6.55 Required Notices
- 6.60 Subscription Fees
- 6.70 Direct Solicitation

SUBPART C: METHODS OF PROCUREMENT AND SOURCE SELECTION

Section

- 6.80 Competitive Sealed Bids
- 6.90 Competitive Sealed Proposals
- 6.100 Small Purchases
- 6.110 Sole Source and Sole Economically Feasible Source Procurement
- 6.120 Emergency Purchases
- 6.122 Requests for Information
- 6.124 Joint Purchasing
- 6.125 Small Business Set-Asides (Renumbered)
- 6.126 Piggyback Contracts

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SUBPART D: COMPETITIVE SEALED BID PROCEDURES

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6.130	General Conditions for Use
6.140	Invitations for Bids
6.150	Amendments to Invitations for Bids
6.160	Preparation of Bids
6.170	Delivery of Bids
6.180	Change or Withdrawal of Bids
6.190	Combination Bids for Construction Contracts
6.200	Pre-Bid Conferences
6.210	Public Opening of Bids
6.220	Consideration of Bids
6.230	Mistakes
6.240	Award After Bid Evaluation
6.250	Split and Multiple Awards
6.260	Time for Award
6.270	Delay in Award
6.275	Notice of Award
6.280	Binding Contract
6.290	Requirement of Contract Bond for Construction Contracts
6.300	Execution of Contracts
6.310	Publication of Contracts (Repealed)

SUBPART E: COMPETITIVE SEALED PROPOSAL PROCEDURES

Section

6.320	General Conditions for Use
6.330	Request for Proposals
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6.350	Evaluation of Proposals
6.360	Discussions with Responsible Offerors
6.370	Award
6.380	Execution of Contracts

SUBPART F: CONTRACT ADMINISTRATION

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- 6.385 Expenditure in Excess of Contract Price
- 6.388 Continuing Disclosure

SUBPART G: PROTESTS

Section

- 6.390 Application
- 6.400 Interested Party
- 6.410 Subject of the Protest
- 6.420 Filing of a Protest
- 6.430 Stay of Action during Protest
- 6.440 Decision

SUBPART H: SPECIFICATIONS

Section

- 6.450 Standard Specifications
- 6.460 Contract Documents
- 6.470 Specification Standards

SUBPART I: SUSPENSION OF CONTRACTORS OR SUBCONTRACTORS

Section

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- 6.490 Definitions
- 6.500 Policy
- 6.510 General
- 6.520 Causes for Suspension or Debarment
- 6.530 Interim Suspension
- 6.540 Voluntary Exclusion
- 6.550 Term of Suspension
- 6.560 Coverage
- 6.570 Other Agency Suspensions
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6.620	Response and Request for Hearing
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6.640	Answer
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SUBPART L: ILLIANA EXPRESSWAY PROCUREMENT

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6.900	Purpose and Objective
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6.910	General Conditions for Use
6.915	Prequalification and Qualifications
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6.925	Competitive Request for Proposals Process
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6.940	Discussions with Offerors
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SUBPART M: PROCUREMENT OF SERVICES UNDER CONSTRUCTION
MANAGER/GENERAL CONTRACTOR PROJECT, PROGRESSIVE
DESIGN-BUILD, AND DESIGN-BUILD DELIVERY METHODS

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6.1010	Other Acts
6.1020	Department Representatives
6.1030	CMGC Procurement Process
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6.1060	Project Implementation
6.1070	Project Labor Agreement
6.1080	Diversity

SUBPART N: PROCUREMENT OF SERVICES UNDER UNSOLICITED PROPOSAL FOR
PUBLIC-PRIVATE PARTNERSHIP DELIVERY METHOD

<u>Section</u>	
<u>6.1100</u>	<u>Purpose</u>
<u>6.1110</u>	<u>Definitions</u>
<u>6.1120</u>	<u>Acceptance Period</u>
<u>6.1130</u>	<u>Proposal Review Fee</u>
<u>6.1140</u>	<u>Eligibility Determination Review</u>
<u>6.1150</u>	<u>Submission of Confidential Information and Intellectual Property Protections</u>
<u>6.1160</u>	<u>Preliminary Evaluation Phase</u>
<u>6.1170</u>	<u>Process After Preliminary Evaluation Phase</u>
<u>6.1180</u>	<u>Negotiation of Agreement</u>
<u>6.1190</u>	<u>Public Meeting on Selected Proposal</u>

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6.1200	Protests and Appeals
6.1210	Termination, Suspension, or Withdrawal of Proposals
6.1220	Commercial Close
6.1230	Financial Close
6.1240	Notice of Execution
6.1250	Project Implementation
6.1260	Use of Prequalified Firms and Contractors

AUTHORITY: Implementing the Illinois Procurement Code [30 ILCS 500], Governmental Joint Purchasing Act [30 ILCS 525], Innovation for Transportation Infrastructure Act [630 ILCS 10], Section 2705-600 of the Department of Transportation Law [20 ILCS 2705], and the Public Private Agreements for the Illiana Expressway Act [605 ILCS 130] and authorized by Section 5-25 of the Illinois Procurement Code [30 ILCS 500], Section 2 of the Governmental Joint Purchasing Act [30 ILCS 525], Section 2705-600(7) of the Department of Transportation Law [20 ILCS 2705], Section 25-101 of the Electronic Commerce Security Act [5 ILCS 175], Section 15(a) of the Public Private Agreements for the Illiana Expressway Act [605 ILCS 130] and Section 75(b) of the Innovation for Transportation Infrastructure Act [630 ILCS 10].

SOURCE: Adopted by emergency rulemaking at 22 Ill. Reg. 11602, effective July 1, 1998, for a maximum of 150 days; adopted at 22 Ill. Reg. 21060, effective November 25, 1998; emergency amendment at 29 Ill. Reg. 7832, effective May 12, 2005, for a maximum of 150 days; emergency expired October 8, 2005; amended at 29 Ill. Reg. 18147, effective October 19, 2005; recodified, pursuant to PA 96-795, from Department of Transportation, 44 Ill. Adm. Code 660, to Chief Procurement Officer for Department of Transportation, 44 Ill. Adm. Code 6, at 35 Ill. Reg. 10158; amended at 35 Ill. Reg. 16518, effective September 30, 2011; amended at 36 Ill. Reg. 230, effective December 21, 2011; expedited correction at 36 Ill. Reg. 14883, effective December 21, 2011; amended at 37 Ill. Reg. 5764, effective April 19, 2013; amended at 37 Ill. Reg. 15878, effective September 27, 2013; amended at 37 Ill. Reg. 19098, effective November 15, 2013; recodified Title of the Part at 39 Ill. Reg. 5903; amended at 40 Ill. Reg. 6693, effective April 7, 2016; amended at 44 Ill. Reg. 6222, effective April 8, 2020; Subparts C and K recodified at 44 Ill. Reg. 8590; amended at 48 Ill. Reg. 10137, effective July 1, 2024; amended at 49 Ill. Reg. _____, effective _____.

SUBPART N: PROCUREMENT OF SERVICES UNDER UNSOLICITED PROPOSAL FOR
PUBLIC-PRIVATE PARTNERSHIP DELIVERY METHOD

Section 6.1100 Purpose

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The purpose of this Subpart is to establish policies and procedures to allow the Department to receive, review, and implement unsolicited proposals for Public-Private Partnerships in accordance with the Illinois Procurement Code [30 ILCS 500] and the Public Private Partnerships for Transportation Act [630 ILCS 5].

(Source: Added at 49 Ill. Reg. _____, effective _____)

Section 6.1110 Definitions

As used throughout this Subpart, terms defined in the Illinois Procurement Code and the Public Private Partnership for Transportation Act have the same meaning as in the Code and the Public Private Partnership for Transportation Act and as further defined in this Subpart. Each term in this Subpart has the meaning set forth as follows unless its use clearly requires a different meaning.

"P3 Act" means the Public Private Partnerships for Transportation Act [630 ILCS 5].

"Agreement" means the public-private agreement between the selected proposer and the Department as a result of the unsolicited proposal process.

"Award" means the selection of a proposer to enter into an agreement with the Department.

"Best and Final Offers" or "BAFO" means proposal revisions made by the responsive proposers to both technical and financial proposals as a part of the procurement process.

"Best Value" means an approach that provides the most efficient overall technical and financial solution for the public benefit.

"Best Value Proposal" means the responsive proposal that was determined to provide best value following the Department evaluation.

"Commercial Close" means the execution of an Agreement by the developer and the Department, at which point agreement is reached on all the commercial terms.

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"Comprehensive Evaluation" means the thorough assessment of all aspects of an unsolicited proposal, including its feasibility, benefits, financial plan, and potential impact on the transportation system.

"Counterproposal" means a proposal submitted in response to the Department's notice that it will accept other proposals for the same project for which an unsolicited proposal was received.

"Counter Proposer" means a private entity that submits a counterproposal.

"Department" means the Illinois Department of Transportation.

"Developer" means the selected proposer that has executed an Agreement with the Department.

"Eligibility Determination Review" means the process that the Department will conduct based on pass/fail criteria to determine if an unsolicited proposal should advance to the preliminary evaluation phase.

"Financial Close" means the project milestone at which all project financing agreements have been executed and all conditions contained in the Agreement that are necessary to enter into the financing agreements have been met.

"Initial Proposer" means the private entity that submits an unsolicited proposal to the Department.

"Multi-Year Improvement Program" or "MYP" means the Department's six-year plan for projects and estimated investments on the State and local highway systems.

"Preestablished Evaluation Criteria" means project-specific, confidential uniform evaluation criteria developed by the Department during the comprehensive evaluation phase.

"Preliminary Evaluation Phase" means the initial stage in the review process during which the Department will assess an unsolicited proposal.

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"Prequalification" means the processes established by the Department in 44 Ill. Adm. Code 625 for the selection of architectural, engineering, and land surveying services, and 44 Ill. Adm. Code 650 for construction contractors.

"Public-Private Partnership" or "P3" means the partnership between a developer and the Department relating to one, or more, of the development, financing, and operation of a transportation project.

"Secretary" means the Secretary of Transportation of the State of Illinois.

"Selected Proposer" means the responsive proposer that the Department has determined to have provided the Best Value Proposal.

"Short-Listed Proposer" means the initial proposer or any superior counter proposer that has been selected by the Department as being qualified and competitive to advance further in the selection process.

"State" means the State of Illinois.

"Unsolicited proposal" or "UP" means a written proposal for a transportation project submitted by a private entity to the Department on the initiative of a private sector entity or entities for the purposes of developing a public-private partnership that is not in response to a formal or informal request issued by the Department. (Section 10 of P3 Act)

"Value for Money Analysis" means a structured assessment process used to evaluate the overall economic benefits and costs of an unsolicited proposal that compares the financial, economic, and qualitative impacts of the proposed project against traditional public procurement or other feasible alternatives.

(Source: Added at 49 Ill. Reg. _____, effective _____)

Section 6.1120 Acceptance Period

Public notice of the acceptance period and details regarding the method of unsolicited proposal submission will be published on the Department's website at least 30 days before the opening date of the acceptance period.

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(Source: Added at 49 Ill. Reg. _____, effective _____)

Section 6.1130 Proposal Review Fee

The Department will only accept the submission of an unsolicited proposal, if it is accompanied by the proposal review fee in accordance with Section 19 of the P3 Act.

(Source: Added at 49 Ill. Reg. _____, effective _____)

Section 6.1140 Eligibility Determination Review

- a) The Department will review each unsolicited proposal to determine if the UP should be advanced to the preliminary evaluation phase. The Department may determine that an unsolicited proposal will not be eligible and will not be further evaluated if, without limitation:
- 1) The unsolicited proposal proposes a project that is already in procurement, planning or otherwise under consideration by the Department;
 - 2) The unsolicited proposal proposes a project that the Department recently rejected, declined, or abandoned.
 - 3) The unsolicited proposal does not meet the requirements set forth in Section 19 of the P3 Act.
 - 4) The unsolicited proposal does not include a detailed cash flow model projecting all sources and uses of funds on an annual basis from financial close to the end of the term of the proposed agreement submitted in Excel format.
 - 5) The unsolicited proposal does not include a value for money analysis, conducted by an independent third party, demonstrating the project's cost effectiveness.
 - 6) The unsolicited proposal does not include a statement executed by the initial proposer acknowledging that the initial proposer has reviewed the prequalification requirements provided in Section 6.1270 of this Subpart N and confirming that all firms and contractors for which prequalification is

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required that are included in the unsolicited proposal are either prequalified or can become prequalified.

- b) If the unsolicited proposal passes the eligibility determination review, the Department will approve the advancement of the unsolicited proposal to the preliminary evaluation phase. If an unsolicited proposal does not pass the eligibility determination review, the proposal review fee will be returned to the initial proposer; however, the contents of the unsolicited proposal will remain the property of the State.

(Source: Added at 49 Ill. Reg. _____, effective _____)

Section 6.1150 Submission of Confidential Information and Intellectual Property Protections

- a) Proposers must clearly identify confidential, proprietary, or trade secret information. Information not clearly marked confidential may be disclosed.
- b) The Department retains all intellectual property rights in submitted proposals. By submitting a proposal, the proposer grants the Department a non-exclusive, royalty-free license to use, reproduce, and distribute any intellectual property for evaluation, project development, and implementation. This does not obligate the Department to proceed with any proposal or limit a proposer's use of its intellectual property outside the submission process.

(Source: Added at 49 Ill. Reg. _____, effective _____)

Section 6.1160 Preliminary Evaluation Phase

The Department will conduct preliminary evaluation of all unsolicited proposals that passed the eligibility determination review. The criteria that may be considered may include the unsolicited proposal's suitability for a public-private partnership delivery method, public need and benefits, economic development opportunities, market demand, stakeholder support, legislative consideration, and what efficiencies the unsolicited proposal may bring to the Department related to schedule, cost, and quality.

(Source: Added at 49 Ill. Reg. _____, effective _____)

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Section 6.1170 Process After Preliminary Evaluation Phase

- a) Authority to Initiate Unsolicited Proposal Procurement Process
The Department may not commence the procurement process for a project until authorized pursuant to Section 15(d) of the P3 Act.
- b) Counterproposals
 - 1) The Department will notify the public about the acceptance of counterproposals by posting an announcement on its website in accordance with Section 19 of the P3 Act. The notice shall contain the following:
 - A) The location and description of the project;
 - B) The means of submission; and
 - C) The acceptance period for receiving counterproposals.
 - 2) Before issuing the request for counterproposals, the Department may conduct meetings or provide information to the public and interested participants in anticipation of the solicitation of counterproposals.
- c) Required Elements of a Counterproposal
To maintain consistency and facilitate a fair evaluation, counterproposals must incorporate the same elements outlined in the initial submission of unsolicited proposals at Section 6.1140.
- d) Counterproposal Review Fee
At the time of a counterproposal submittal, the Department will require, the counter proposer to pay a proposal review fee payable to the Treasurer, State of Illinois. The Department may waive the counterproposal review fee at its discretion.
- e) Comprehensive Evaluation Phase
The Department will conduct a comprehensive evaluation of unsolicited proposals determined to be favorable during the preliminary evaluation phase, and counterproposals received during the counterproposal acceptance period. The

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comprehensive evaluation will be based on pre-established criteria, which will include, but are not limited to, cost, schedule, qualifications and experience of the proposer, project constructability, alignment with the multi-year program, public benefit, and other policy considerations.

f) Best and Final Offer Phase

- 1) If counterproposals meeting the unsolicited proposal submission requirements are received and are determined to be superior to the original unsolicited proposal during the comprehensive evaluation, the Department shall proceed with the BAFO phase in accordance with Section 19 of the P3 Act.
- 2) Before determining the best value proposal, the Department will provide public notice of proposals and counterproposals to impacted communities and hold a public meeting in accordance with Section 19 of the P3 Act.
- 3) The successful short-listed proposer shall be the proposer offering the best value to the Department, as determined by the evaluation process. The Department will document the rationale for the selection, including a summary of the evaluation process and the final determination.

(Source: Added at 49 Ill. Reg. _____, effective _____)

Section 6.1180 Negotiation of Agreement

The Department will notify the selected proposer of the Department's selection, and the parties shall begin negotiations. The Department will notify all other short-listed proposers that their proposal was not selected.

- a) If a mutually acceptable agreement cannot be reached, the Department may terminate negotiations. In such cases, the Department may:
 - 1) Reject all proposals and conclude the procurement process.
 - 2) Initiate negotiations with the short-listed proposer that submitted the next highest-ranked proposal. If those negotiations fail, the Department may, at its discretion, negotiate with the third-ranked proposer.

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- b) The Department may require the selected proposer furnish a proposal bond in an amount determined necessary to ensure compliance with the proposal commitments and protect the interests of the Department.
- c) The Department may enter into an interim agreement with the selected proposer to facilitate project development prior to finalizing negotiation of the Agreement. Any such interim agreement shall comply with the requirements of Section 30 of the P3 Act and may authorize the selected proposer to initiate specific non-construction, project-related activities for which compensation may be provided.

(Source: Added at 49 Ill. Reg. _____, effective _____)

Section 6.1190 Public Meeting on Selected Proposal

Before finalizing any agreement, the Department will hold one or more public meetings to allow stakeholders, community members, and interested parties to review and provide input on the proposed project and the selected proposal. At least seven days prior to each meeting, the Department will issue a public notice including location and time of the meeting, the subject matter, a summary of the agreement, and the Department's determination that the selected proposal serves the public purpose of the P3 Act.

(Source: Added at 49 Ill. Reg. _____, effective _____)

Section 6.1200 Protests and Appeals

All protests and appeals shall be governed by 44 Ill. Adm. Code 6, Subpart G.

(Source: Added at 49 Ill. Reg. _____, effective _____)

Section 6.1210 Termination, Suspension, or Withdrawal of Proposals

The Department reserves the right to reject any proposal, suspend the evaluation process, or decline to award an agreement at any time at its discretion. A proposer may withdraw its proposal prior to commercial close by submitting a written request; provided, however, withdrawal after selection for award may be subject to Department-established conditions to protect procurement integrity, including termination compensation.

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(Source: Added at 49 Ill. Reg. _____, effective _____)

Section 6.1220 Commercial Close

The Department and selected proposer will negotiate the Agreement based on the selected proposer's proposal. Any such Agreement shall comply with the requirements of Section 35 of P3 Act. Commercial close is achieved upon full execution of the Agreement or such later date as provided in the Agreement.

(Source: Added at 49 Ill. Reg. _____, effective _____)

Section 6.1230 Financial Close

The developer shall finalize a comprehensive finance plan consistent with the Agreement's financial structure. The Department will review and approve all financial documentation.

(Source: Added at 49 Ill. Reg. _____, effective _____)

Section 6.1240 Notice of Execution

The Department will publish notice and a copy of the executed Agreement on its website and in newspapers of general circulation within the county or counties where the project is located. The notice will inform the public that any action to contest the validity of the Agreement must be filed no later than 60 days from the date of publication.

(Source: Added at 49 Ill. Reg. _____, effective _____)

Section 6.1250 Project Implementation

The Department will provide oversight and ensure contract compliance through design reviews, constructability reviews, construction acceptance, utility relocation oversight, independent quality assurance surveys, independent material testing, construction documentation, risk mitigation, and oversight of construction activities, including construction management, maintenance of traffic, permit compliance, and other services, such as value engineering, stakeholder coordination, or public involvement management, through and in addition to the use of owner's representatives.

(Source: Added at 49 Ill. Reg. _____, effective _____)

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Section 6.1260 Use of Prequalified Firms and Contractors

All firms and contractors that are proposed to perform services subject to the prequalification requirements of 44 Ill. Adm. Code 625 or 650 in an unsolicited proposal or counterproposal must be prequalified by the counterproposal due date stated in the notice for counterproposal acceptance. The developer is responsible for ensuring compliance with this requirement and shall ensure that selected firms and contractors maintain their prequalification status throughout the duration of their engagement on the project.

(Source: Added at 49 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Miscellaneous
- 2) Code Citation: 26 Ill. Adm. Code 207
- 3) Section Number: 207.110 Proposed Action: Amendment
- 4) Statutory Authority: Implementing Sections 4-8, 5-7, and 6-35 and authorized by Section 1A-8(9) of the Election Code [10 ILCS 5].
- 5) A Complete Description of the Subjects and Issues Involved: This amendment intends to clarify the accepted payment types for data files purchased by certain entities as authorized by statute.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or enlarge a State mandate as defined in Section 3(b) of the States Mandates Act [30 ILCS 805/3(b)].
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking within 45 days after publication of this Notice to:

H. Poyer
Office of General Counsel
Illinois State Board of Elections
2329 S. MacArthur Blvd.
Springfield, Illinois 62704

(217) 782-4141

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GeneralCounsel@elections.il.gov

- 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: July 2025

The full text of the Proposed Amendment begins on the next page:

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NOTICE OF PROPOSED AMENDMENT

TITLE 26: ELECTIONS

CHAPTER I: STATE BOARD OF ELECTIONS

PART 207

MISCELLANEOUS

Section

207.10	Failure to Nominate Candidate
207.20	Notice of Primary Election – County of 500,000 Or More
207.30	Document Copying Fees
207.40	County Clerk Notification to State Board of Elections of Certain Filings for Office
207.50	Deputy Registrars; Definition of Bonafide State Civic Organization
207.60	Chad Removal
207.70	Post Tabulation Testing
207.80	Notation of Straight Party Tickets and of Overvotes and Undervotes by Electronic Voting Systems
207.90	Reporting of Errors in Vote Tabulation Where Electronic Voting Systems Are In Use
207.100	Requirements for Operator's Log
207.110	Requirements for Voter Information Tapes
207.120	Procedures for Election Night Equipment Failure
207.130	Testing Voting Systems
207.140	Certification of Signature Imaging Systems
207.150	Receipt and Dissemination of Absentee Voting Information
207.160	Attendance of Members at Board Meetings other than by Physical Presence
207.170	Definitions
207.180	Candidate Statement Deadlines

207.APPENDIX A Log for Vote Tabulation

207.APPENDIX B VIS Format

AUTHORITY: Implementing Sections 4-8, 5-7, 6-35, 19-4 and 20-4 and authorized by Section 1A-8(9) of the Election Code [10 ILCS 5].

SOURCE: Adopted at 2 Ill. Reg. 25, p. 70, effective July 3, 1978; codified at 6 Ill. Reg. 7219; amended at 6 Ill. Reg. 8976, effective July 12, 1982; amended at 8 Ill. Reg. 24560, effective December 6, 1984; amended at 11 Ill. Reg. 18660, effective October 30, 1987; amended at 15 Ill. Reg. 14427, effective September 27, 1991; amended at 18 Ill. Reg. 14714, effective September

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9, 1994; amended 20 Ill. Reg. 2634, effective February 10, 1997; amended at 30 Ill. Reg. 16076, effective September 30, 2006; amended at 31 Ill. Reg. 7148, effective May 1, 2007; amended at 35 Ill. Reg. 19292, effective November 15, 2011; amended at 49 Ill. Reg. _____, effective _____.

Section 207.110 Requirements for Voter Information Tapes

- a) This ~~Section~~^{rules} implements Sections 4-8, 5-7, and 6-35 of the ~~Illinois~~-Election Code.
- b) Electronic data processing information containing voter registration information required to be furnished by election authorities to the State Board of Elections ("Board") shall be furnished in the format identified in Appendix B to this Part. The physical and logical data structure, as well as form, are part of the format.
- c) The following information must be furnished for all registered voters:
 - 1) name;
 - 2) residential address;
 - 3) precinct;
 - 4) ward, if the voter's residence is in a ward;
 - 5) township, if the voter's address is in a county under township organization;
 - 6) county;
 - 7) representative district;
 - 8) legislative district; and
 - 9) congressional district.
- d) The following information must be furnished for all voters registered after July 1, 1988, and for all registered voters irrespective of the date of registration, if available:

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- 1) age; and
 - 2) sex.
- e) Telephone numbers must be furnished for a voter registered after May 1, 1990, and for all registered voters, irrespective of date of registration, if available.
- f) Voter affiliation with an established political party, as such party is defined by Section 7-2 of the Election Code, shall, after December 1990, be furnished for all registered voters who affiliate with an established political party and choose that party's ballot at a general primary election or consolidated primary election. Party affiliation shall be cumulatively reported for a period beginning four years prior to the closing date for the reporting period, to the extent such affiliation data is available. From December 1990 forward, all election jurisdictions shall maintain voter party affiliation data for a four-year~~four-year~~ period.
- g) Election authorities may, but need not, also furnish the registration date, physical impairment indicator, naturalization indicator, social security number, driver's license number, and voting history for elections other than primary elections, for registered voters in the respective jurisdictions.
- h) The Board reviews voter registration data submissions~~submission~~ furnished by election authorities pursuant to the Election Code and this rule for compliance with the statute and rule. If the submission is compliant with respect to contents and format, the submission will be accepted as of date of receipt by the Board. If the submission is noncompliant, it will be rejected and returned to the submitting election authority.
- i) When a submission of voter registration data is determined to be noncompliant, the Board will notify the submitting election authority by first-class certified mail, return receipt requested. The Board will identify the reasons for rejection. The~~Such~~ election authority shall have ~~ten~~(10) days from the date of receipt of notice of noncompliance, or until the last date allowed by statute for data submission, whichever is later, to furnish a compliant data submission. An election authority may request, within the same time allowed for furnishing a compliant data submission, an extension of time in which to furnish a compliant submission. Such a request for an extension must be in writing, and will be routinely granted for an additional 20-day~~20-day~~ period.

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- j) Data submission must be within the times specified by statute. An election authority ~~that~~^{which} knows ~~that~~ it cannot comply with a statutory data submission deadline because of the absence of key personnel or computer malfunction will be granted an additional 20 days beyond the deadline in which to comply, ~~if provided that~~ before the deadline the Board receives the election authority's written request for an extension, citing the grounds for the request. The Board ~~will~~^{shall} notify each election authority ~~that~~^{which} fails to make data submission within the time prescribed by statute of its failure to make a timely submission. Such notice shall be in writing, by first-class mail, and sent within ~~ten~~⁽¹⁰⁾ business days after the data submission is due. The Board will refer to the Illinois Attorney General for compliance enforcement each election authority ~~that~~^{which} has not made a timely and compliant submission within ~~fifteen~~⁽¹⁵⁾ days after the submission was due, including any extensions.
- k) Reimbursement will be made at the rates prescribed by statute only once for each semi-annual reporting period and only for compliant data submission. When multiple submissions are required by a Board determination of noncompliance, the election authority will be reimbursed for only the final and compliant submission.
- l) Dissemination of data submissions will be to those authorized by statute to purchase them, at the rate of ~~\$60 plus \$15~~^{sixty dollars (\$60.00) plus fifteen dollars (\$15.00)} for each 150,000 voter files or portion of 150,000 voter files, payable in advance. Each eligible purchaser must, in addition, furnish to the Board blank magnetic tape reels sufficient to transfer the voter registration data requested. Payment must be made from the funds of the eligible purchasers, and not from the funds of third parties on behalf of the eligible purchaser. Money orders, cashier's checks, ~~or~~^{or} treasurer's checks ~~and other banking instruments~~ purchased by an eligible purchaser for the purpose of funds transmission are deemed to be the funds of the eligible purchaser. The Board will accept payment made by cash, credit card, money order, cashier's check, treasurer's check, or Automated Clearing House transfer. Personal checks will not be accepted. The purchaser is responsible for the payment of any fees associated with the chosen payment method.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Appraisal Management Company Registration Act
- 2) Code Citation: 68 Ill. Adm. Code 1452
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
1452.10	Amendment
1452.20	Amendment
1452.30	Amendment
1452.40	Amendment
1452.50	Amendment
1452.60	Amendment
1452.70	Amendment
1452.80	Repealed
1452.90	Amendment
1452.100	Amendment
1452.110	Repealed
1452.120	Amendment
1452.130	Repealed
1452.140	Amendment
1452.150	Amendment
1452.160	Repealed
1452.170	Repealed
1452.180	Repealed
1452.190	Amendment
1452.200	Amendment
1452.210	Amendment
1452.220	Amendment
- 4) Statutory Authority: Implementing and authorized by the Appraisal Management Company Registration Act [225 ILCS 459].
- 5) A Complete Description of the Subjects and Issues Involved: These proposed amendments would aim to implement provisions of Public Act 102-970 (effective May 27, 2022) as well as federal regulatory requirements, including the Uniform Standards of Professional Appraisal Practice ("USPAP"), published by the Appraisal Standards Board of The Appraisal Foundation; as these regulations affect Appraisal Management Companies ("AMCs"). At the encouragement of the federal Appraisal Subcommittee of the Federal Financial Institutions Examination Council ("FFIEC"), the proposed amendments would provide for AMCs to renew their registration with the Department on

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an annual basis as opposed to the current biannual basis requirement, helping to maintain conformity with respect to the timing of required registration renewals and payments of national registry fees.

The amendments would also clarify the application requirements affecting business entities and the manner of determining the date on which a license will be considered to have expired, would reflect the statutory authority for service by email, would enable the Division to initiate disciplinary proceedings if an AMC fails to notify the Division of a change in its designated controlling person, and would set forth requirements for an AMC's payment policies.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? Yes
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 2nd Floor
Springfield, IL 62786

(217) 785-0810
Fax: (217) 557-4451
Craig.Cellini@illinois.gov

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All written comments received within 45 days after this issue of the *Illinois Register* will be considered.

13) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: Those licensed under the Act may be affected.
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None other than the professional skills traditionally associated with the establishment and operation of an appraisal management company.

14) Small Business Impact Analysis:

- A) Types of businesses subject to the proposed rule:
 - 53 Real Estate Rental and Leasing;
 - 54 Professional, Scientific and Technical Services.
- B) Categories that the agency reasonably believes the rulemaking will impact, including:
 - ii. Regulatory Requirements;
 - vii. Training Requirements.

15) Regulatory Agenda on which this rulemaking was summarized: January 2025

The full text of the Proposed Amendments begins on the next page:

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TITLE 68: PROFESSIONS AND OCCUPATIONS

CHAPTER VII: DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1452

APPRAISAL MANAGEMENT COMPANY REGISTRATION ACT

Section

1452.10	Definitions
1452.20	Application for Original Registration
1452.30	Registration Title and Display
1452.40	Renewal of a Registration; Reinstatement; Restoration; Expiration Date
1452.50	Address Change; Service by Email
1452.60	Designated Controlling Person
1452.70	Change of Business Entity or Ownership
1452.80	Bonding Requirements (Repealed)
1452.90	Record Retention
1452.100	Payment Policies
1452.110	Prior Written Notice (Repealed)
1452.120	Assignment Guidelines and Policies; Engagement
1452.130	Appraisal Review; Quality Control Review (Repealed)
1452.140	Uniform Standards of Professional Appraisal Practice (USPAP)
1452.150	Compliance Reporting Requirements
1452.160	Administrative Warning Letter (Repealed)
1452.170	Cooperation Required with the Division (Repealed)
1452.180	Felony Convictions; Discipline of Other Professional Registration; Notification (Repealed)
1452.190	Unprofessional Conduct
1452.200	Fees
1452.210	Granting Variances
1452.220	AMC National Registry Fees

AUTHORITY: Implementing and authorized by the Appraisal Management Company Registration Act [225 ILCS 459].

SOURCE: Adopted at 37 Ill. Reg. 2649, effective March 4, 2013; amended at 45 Ill. Reg. 4273, effective March 18, 2021; amended at 49 Ill. Reg. _____, effective _____.

Section 1452.10 Definitions

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Unless otherwise clarified by this Part, definitions set forth in the Act also apply for the purposes of this Part.

"AMC National Registry" means the national registry of appraisal management companies that are either registered with and subject to supervision of a State appraiser certifying and licensing agency or are operating subsidiaries of a federally regulated financial institution~~State-registered AMCs and federally-regulated AMCs~~ maintained by the Appraisal Subcommittee.

"Act" means the Appraisal Management Company Registration Act [225 ILCS 459].

"Applicant" means a person applying for registration under the Act and this Part as an appraisal management company. Any applicant or any person who holds ~~themselves~~~~himself or herself~~ out as an applicant is considered a registrant for purposes of enforcement, investigation, hearings and the Illinois Administrative Procedure Act [5 ILCS 100].

"Appraisal management company" or "AMC" means any corporation, limited liability company, partnership, sole proprietorship, subsidiary, unit, or other business entity that directly or indirectly:

provides appraisal management services to creditors or secondary mortgage market participants, including affiliates;

provides appraisal management services in connection with valuing the consumer's principal dwelling as security for a consumer credit transaction (including consumer credit transactions incorporated into securitizations); and

~~*within a given year, oversees an appraiser panel of any size of State-certified appraisers in Illinois; and*~~

any appraisal management company that, within a given 12-month period~~year~~, oversees an appraiser panel of 16 or more State-certified appraisers in Illinois or 25 or more State-certified or State-licensed appraisers in 2 or more jurisdictions.

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"Appraisal management company" includes a hybrid entity. [225 ILCS 459/10]

~~An "AMC" shall be subject to the appraisal management company national registry fee in addition to the appraiser panel fee.~~

"Appraisal management company national registry fee" means the fee, implemented pursuant to Title XI of the federal Financial Institutions Reform, Recovery and Enforcement Act of 1989, for an appraiser management company's national registry. [225 ILCS 459/10]

"Appraisal practice service" means valuation services performed by an individual acting as an appraiser, including, but not limited to, appraisal or, appraisal review, ~~or appraisal consulting~~. [225 ILCS 459/10]

"Appraisal Subcommittee" or "ASC" means the Appraisal Subcommittee of the Federal Financial Institutions Examination Council.

"Appraiser panel" means a network, list, or roster of licensed or certified appraisers approved by the appraisal management company or by the end-user client to perform appraisals as independent contractors for the appraisal management company. "Appraiser panel" includes both appraisers accepted by an appraisal management company for consideration for future appraisal assignments and appraisers engaged by an appraisal management company to perform one or more appraisals. For the purposes of determining the size of an appraiser panel, only independent contractors of hybrid entities shall be counted towards the appraiser panel. [225 ILCS 459/10]

"Appraiser panel fee" means the amount collected from a registrant that, where applicable, includes an appraisal management company's national registry fee. [225 ILCS 459/10]

"Business entity" means any entity doing business whether organized as a corporation, partnership, sole proprietorship, limited liability company or partnership, or otherwise.

"Client" means the party or parties who engage an appraiser, by employment or contract, in a specific appraisal assignment, whether directly or through an agent.

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[225 ILCS 459/10] ~~If an appraisal management company is the party engaging the appraiser, the appraisal management company is considered the client.~~

~~"Comparable property" means any property that has physical, functional and locational similarity to the property under appraisal.~~

"Controlling person" means:

an owner, officer, or director of an entity seeking to offer appraisal management services;

an individual employed, appointed, or authorized by an appraisal management company who has the authority to:

enter into a contractual relationship with a client for the performance of an appraisal management service or appraisal practice service; and

enter into an agreement with an appraiser for the performance of a real estate appraisal activity;

an individual who possesses, directly or indirectly, the power to direct or cause the direction of the management or policies of an appraisal management company; or

an individual who will act as the sole compliance officer with regard to this Act and any rules adopted under this Act. [225 ILCS 459/10]

"Covered transaction" means ~~a~~any consumer credit transaction secured by ~~a~~the consumer's principal dwelling. [225 ILCS 459/10]

"Department" means the Department of Financial and Professional Regulation.

"Designated Controlling Person" means a person who meets the definition of Controlling Person who will be the main contact for all communication between the Department and the appraisal management company and is responsible for ensuring that the AMC operates in compliance with state law.

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"Director" means the Director of the Department of Financial and Professional Regulation-Division of Real Estate.

"Dissolution" means the voluntary or involuntary termination of the existence of a business entity consistent with the provisions of Illinois business organizations Acts including, but not limited to, 805 ILCS 5 and 805 ILCS 180.

"Division" means the Department of Financial and Professional Regulation-Division of Real Estate.

"Dodd-Frank Wall Street Reform and Consumer Protection Act" means the federal Act (PL 111-203, HR 4173) signed into law on July 22, 2010.

~~"EDI" is the acronym for Electronic Data Interchange.~~

~~"Factual error" means an omission of a detail or a communication of an erroneous detail that is objective as opposed to subjective in nature.~~

"Federally regulated appraisal management company" means an appraisal management company that is owned and controlled by an insured depository institution, as defined in 12 USC 1813, or an insured credit union, as defined in 12 USC 1752, and regulated by the Office of the Comptroller of the Currency, the Federal Reserve Board, the National Credit Union Association, or the Federal Deposit Insurance Corporation. [225 ILCS 459/10]

"Non-compete clause" or "covenant not to compete" means an agreement between an appraiser engaged by an appraisal management company and ~~the an~~ appraisal management company that the appraiser will not provide appraisal services on behalf of themselves ~~himself or herself~~ or for a competing ~~competitor~~ appraisal management company for a specified period of time or in a specific geographic location.

~~"Original registration" means a first time application to the Division for a registration.~~

"Portal" means a single point of access for data delivery through the internet.

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"Quality control review" means a review of an appraisal report for compliance and completeness, including grammatical, typographical, or other similar errors, unrelated to developing an opinion of value. [225 ILCS 459/10]

~~"Prior written notice" means a period of not less than 30 days in which an appraisal management company must notify an appraiser that he or she has been removed from an appraisal management company's list of approved vendors.~~

"Registrant" means a person who has been issued a registration under the Act and this Part. Anyone who holds ~~themselves~~ ~~himself or herself~~ out as a registrant or who is accused of unregistered practice is considered a registrant for purposes of enforcement, investigation, hearings, and the Illinois Administrative Procedure Act.

"Secretary" means the Secretary of the Department of Financial and Professional Regulation.

"Service request" means any appraisal practice service.

~~"System in place" means a documented procedure that details how a specific task is carried out.~~

"Turn time" means an established period of time between the appraiser's acceptance of an assignment and ~~their~~ the final delivery of a completed assignment to the appraisal management company.

"USPAP" ~~means~~ ~~is the acronym for~~ the Uniform Standards of Professional Appraisal Practice ~~as adopted~~ ~~promulgated~~ by the Appraisal Standards Board ~~under~~ ~~pursuant to~~ Title XI of the Federal Financial Institutions Reform, Recovery and Enforcement Act of 1989 (12 ~~U.S.C.~~ ~~USC~~ 3331 et seq.) ~~and by rule (effective January 1, 2024, no later amendments or editions) [225 ILCS 459/10].~~

~~"Webform" means a web page that allows a user to enter data that is sent to a server for processing.~~

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1452.20 Application for ~~Original~~ Registration

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- a) An applicant for registration as an appraisal management company shall, in accordance with Sections 35 and 40 of the Act, file an application with the Division, in a manner~~on forms~~ provided by the Division, on which all questions have been answered, together with the following:
- 1) Business entity~~Company~~ name, address, telephone number, e-mail address and other ~~contact~~ information required by the Division for~~of~~ the principal office in Illinois where services are provided. A post office box by itself is not acceptable;
 - 2) If the business entity~~company~~ does not maintain a principal office in Illinois, the address, telephone number, e-mail address and other ~~contact~~ information required by the Division for the~~of its~~ out-of-state office responsible~~that has responsibility~~ for its Illinois operations (a post office box by itself is not acceptable), and the name of the agent for service of process;
 - 3) A Federal Employer Identification Number (FEIN);
 - 43) The legal form~~type~~ of the business entity~~organization~~.
 - A) If a sole proprietorship, the name of the sole proprietor~~owner~~;
 - B) If a partnership, a list~~listing~~ of all partners, and an affidavit stating that the partnership has been legally formed, a letter of authority from the Illinois Secretary of State, or if foreign, a copy of the application for admission or authority to transact business in Illinois;
 - C) If a corporation organized~~based~~ in Illinois;
 - i) A~~a~~ copy of the Articles of Incorporation,
 - ii) A certificate~~a proof~~ of good standing issued by the Illinois Secretary of State or obtained from the Illinois Secretary of State's website within the previous 60 days, or
 - iii) If the corporation is a foreign corporation, a copy of the Articles of Incorporation and proof of good standing issued

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by the state in which the corporation is domiciled, and a certificate of authority to transact business in Illinois; and

- iv) A list~~and a listing~~ of all persons or business entities and their~~his, her or its~~ contact information and Illinois appraisal license number(s)~~number~~, if applicable, that hold an ownership interest of 10% or more in~~of~~ the company. ~~If using an assumed name (d/b/a), a copy of the assumed name registration issued by the Secretary of State. If the corporation is a foreign corporation, a copy of the Articles of Incorporation and proof of good standing from the state in which the corporation is domiciled;~~

D) If a limited liability company,

- i) A~~a~~ copy of the Articles of Organization,
- ii) A certificate~~proof~~ of good standing issued by the Illinois Secretary of State or obtained from the Illinois Secretary of State's website within the previous 60 days, or
- iii) If the company is foreign, proof of good standing issued by the state in which it is domiciled, and a certificate of authority to transact business in Illinois; and
- iv) A list~~and a listing~~ of the members of the limited liability company and their~~his, her or its~~ contact information and Illinois appraisal license number(s)~~number~~, if applicable, that hold an ownership interest of 10% or more in~~of~~ the company.;

E) If an assumed name is to be used, a certified copy of the assumed name certificate pursuant to the Assumed Business Name Act [805 ILCS 405] is required;

- ~~F)~~ If another type of business entity, the same or similar information, as applicable, to that listed in this subsection. ~~(a);~~

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- 5) The name, address, and contact information for any business entity applicant that owns 10% or more of the appraisal management company and answers to questions concerning each such individual's history of convictions for criminal offenses, denial or discipline of a professional license(s) pursuant to Section 67 of the Act.
- 6) Any business entity that owns 10% or more of the appraisal management company shall report to the Division within 30 calendar days after any change related to criminal offenses or professional licensure status in any jurisdiction pursuant to the Act.
- 74) The name, address, telephone number, and e-mail address ~~and other contact information~~ of the business entity's designated controlling person and answers to questions concerning that person's ~~his or her~~ history of convictions for criminal offenses, denial or discipline of a professional license(s) ~~license~~, discharge from military or government service, and delinquency on any ~~student loan~~, state taxes or child support payments;
- 85) A signed irrevocable Uniform Consent ~~uniform consent~~ to Service ~~service~~ of Process ~~process~~ form provided by the Division;
- 96) A list ~~listing~~ of any other states where the business entity ~~company~~ is registered, along with the registration number(s) ~~number~~. ~~A registrant shall have no obligation to update this list after issuance of its registration;~~
- 107) The certifications required under Section 40 of the Act;
- 118) The bond required under Section 50 of the Act and this Part; and
- 129) The required fee specified in Section 1452.200.
- b) The application shall be signed and dated by the designated controlling person.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1452.30 Registration Title and Display

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- a) Registrants shall ~~include~~~~affix~~ their Illinois appraisal management registration number and title within the body of every transmitted appraisal service request to an Illinois appraiser.
- b) The registration title is "Illinois AMC Registration No. _____".
- c) A registrant is not prohibited from requiring the appraiser to disclose the information required in subsection (a) in the body of the appraisal report.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1452.40 Renewal of a Registration; Reinstatement; Restoration; Expiration Date

- a) Registrations set to expire on December 31, 2026, shall be extended and expire on June 30, 2027. Beginning July 1, 2027, all registrations shall expire on June 30 of each calendar year and must be renewed annually.
- ~~ba)~~ ~~All registrations shall expire on December 31 of even-numbered years beginning in the year 2014.~~ A registrant may renew its registration during the month preceding the expiration date by submitting to the Division a renewal application in a manner provided by the Division on which all questions have been answered and by paying the required renewal fee to the ~~Division~~Department.
- ~~cb)~~ A registrant who fails to renew its registration by the expiration date may renew the registration for a period of no longer than 5 years following the expiration date by submitting ~~to the Division~~ an application for reinstatement in a manner~~on forms~~ provided by the Division. All questions must be answered, and the required reinstatement fees paid to the Department.
- ~~de)~~ A registrant whose registration has been expired for more than 5 years may apply for restoration of the registration by submitting an application for restoration in a manner provided by the Division, paying the required restoration fees, and, if applicable, submitting proof that they have~~he or she has~~ maintained a registration in good standing in one or more states other than Illinois for the preceding 5 years.
- ~~ed)~~ For the purposes of determining if a registration has expired under this Section, the Division shall consider the registration expired if the ~~postmark on the~~ renewal application and fee are received by the Division on~~is~~ a date later than the

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expiration date ~~or, if delivered other than by mail, the registration shall be considered expired if the renewal application and fee are received by the Division on received by the Division in a date later than the expiration date.~~

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1452.50 Address Change; Service by Email

- a) All registrants shall notify the Division in writing of a change of mailing address or; e-mail address ~~and/or website address or addresses~~ within 14 calendar days after the change in a manner prescribed by the Division. The mailing address of record shall not be a post office mailbox.
- b) The Department may provide service of documents by email to an applicant's or registrant's email address of record in accordance with the Act, the Department of Professional Regulation Law [20 ILCS 2105], or Section 10-75 of the Illinois Administrative Procedure Act [5 ILCS 100]. Service by email shall be deemed complete on the day of transmission regardless of whether the documents are delivered to the applicant's or licensee's spam or junk email folder.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1452.60 Designated Controlling Person

- a) All registrants shall notify the Division in writing of a change of the designated controlling person within 30 calendar days after the change. A registrant shall report this change to the Division by submitting a new designated controlling person application ~~in on~~ a manner ~~form~~ provided by the Division on which all questions have been answered, in which the designated controlling person accepts responsibility for maintaining the registrant's compliance with the Act and this Part, and that is signed by the new designated controlling person.
- b) Failure to notify the Division in writing of a change of the designated controlling person within 30 calendar days after the change may result in the initiation of disciplinary proceedings pursuant to Section 65 of the Act.
- cb) No person may be the designated controlling person for more than one appraisal management company.

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- de) Upon written request by a representative of an appraisal management company, and within 10 calendar days after the loss of a designated controlling person of an appraisal management company because of the incapacitation, death, or termination of employment of that individual, the Division may grant the authority to allow ~~shall issue a Temporary Certificate of Authority allowing~~ the continuing operation of the appraisal management company.
- 1) No authority ~~Temporary Certificate of Authority~~ shall be valid for more than 90 calendar days except that extensions. ~~An extension~~ of an additional 90 calendar days may be granted upon the written request of by the representative of the appraisal management company and for just cause.
- 2) No authority ~~Not more than 2 extensions may be granted to any appraisal management company. No Temporary Certificate of Authority~~ shall be issued for a loss of the designated controlling person because of disciplinary action by the Department ~~Division~~ related to the designated controlling person's ~~his or her~~ conduct on behalf of the appraisal management company.
- ed) A designated controlling person shall report to the Department ~~Division~~ within 30 calendar days after any change related to their ~~his or her~~ criminal history, professional licensure, ~~military or government employment status~~, or delinquency regarding ~~student loans~~, state taxes or child support payments as reported in the registrant's original application, subsequent renewal applications, or a new designated controlling person application.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1452.70 Change of Business Entity or Ownership

- a) No later than 30 calendar days after the effective date of a change in the legal structure of ownership of an appraisal management company registered under the Act, a new application shall be filed with the Division in accordance with Section 1452.20. Pursuant to Section 37 of the Act, a registration is not transferable or assignable.
- b) Change of ownership is defined as, but not limited to:

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- 1) When ~~a business an unaffiliated person, partnership, corporation, limited liability company or other legal~~ entity acquires more than 50% ~~comes to obtain 51%~~ ownership or ownership interest of the appraisal management company ~~after initial registration~~; or
 - 2) The equity purchase of one AMC by another AMC in which the purchasing AMC acquires ownership of the business entity. The purchase can include assets and/or liabilities ~~Change in the legal form under which the controlling entity is organized.~~
- c) Change of legal structure is defined as, but is not limited to:
- 1) When the business entity changes organization type (e.g., from a sole proprietorship to a corporation); or
 - 2) When a business entity is dissolved or terminated and the owner(s) revert to an individual/sole proprietor or create a different legal business structure.
- d) Failure to file a new application within 30 days of a change in the legal structure or ownership may result in the initiation of disciplinary proceedings pursuant to Section 65 of the Act.
- e) Any entity that is not authorized to conduct business in Illinois shall be prohibited from engaging in any licensed activities until proof of authorization to conduct business in Illinois from the Secretary of State is provided.
- f) An appraisal management company must submit a new application when there is a change in the legal structure or ownership of the business entity that may require a change in the Federal Employer Identification Number (FEIN).
- g) If the appraisal management company changes only its legal name or its assumed name, it need not submit a new application but must notify the Division within 14 calendar days of any such change, and, if applicable, provide their registration under the Assumed Business Name Act [805 ILCS 405].
- h) Upon receipt of the required documents and review of the application, the Department shall issue a license authorizing the entity to practice or shall notify the applicant of the reason for any deficiency.

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(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1452.80 Bonding Requirements (Repealed)

~~The bond required by Section 50 of the Act shall be for a term concurrent with the term of the registration, commencing with registrations issued by the Division with an expiration date of December 31, 2014 and concurrent with the 2-year term of each renewed registration thereafter. This provision does not prohibit the registrant from maintaining a continuing bond during any registration term. Failure to maintain the bond and to provide the Department with written proof of the bond, upon request, shall result in cancellation of the license without hearing.~~

(Source: Repealed at 49 Ill. Reg. _____, effective _____)

Section 1452.90 Record Retention

- a) Registrants shall maintain a detailed record of each service request that it receives for an appraisal practice service to be performed within Illinois. Detailed records include, but are not limited to, a copy of:
- 1) The assignment order or service request identifying the ~~end-user~~ client and other intended users.
 - 2) Each assignment result, including revised reports, addenda, certifications, and workfiles, including data, information, and documentation necessary to support the appraiser's opinions and conclusions and to show compliance with USPAP~~any webform communications~~.
 - 3) Any and all correspondence between the appraisers, the registrant, and any other entity or party related to the assignment.
 - 4) Any ~~copy of any~~ quality control review related to the assignment.
 - 5) Any review not consistent with a quality control review.
 - 6) All fee schedules maintained and used by the registrant for the purpose of compliance with the provisions of the Truth in Lending Act (15 U.S.C.~~USC~~ 1601) relating to customary and reasonable fees. The fee schedules shall be definitive in nature.

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- 7) Any roster of Illinois active and approved fee panel appraiser vendors, including the name of the appraiser, each appraiser's Illinois credential number, the date the appraiser was placed on the panel, and the date and reason an appraiser was removed from the panel.
- b) Registrants shall maintain the records set forth in subsection (a) for a period of 5 years. This 5 year period shall commence on the date of final action for each individual transaction or, if the registrant is notified that the transaction is involved in litigation or is the subject of administrative action by the Division, on the date of final disposition of that action.
- c) Registrants~~On receipt of notice, registrants~~ shall produce for the Department,~~upon its request, Division~~ any record required to be maintained by this Section within 30~~15~~ calendar days following the Department's~~after its~~ request. Any information submitted by the registrant to the Department~~Division~~ under this Section ~~shall not be disclosed pursuant to a public request~~ and shall be deemed confidential and shall not be publicly disclosed unless such disclosure is required by State or federal law.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1452.100 Payment Policies

- a) The registrant shall provide a written, comprehensive and definitive payment policy to each approved appraiser vendor. The payment policy may be part of a vendor agreement, assignment order, or service request, and shall include, but is not limited to, the following:
- 1) The agreed date or period by which the appraiser should expect to receive compensation at the conclusion of an assignment;
 - 2) Total completed assignment compensation;
 - 3) Any conditions that delay or void payment, including sequential liability;
 - 4) By what method compensation will be received by the appraiser;
 - 5) Registrant's required turn time;

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- 6) Partial compensation, if any, for the following:
 - A) Completed assignment;
 - B) Registrant's or ~~end-user~~ client delays, holds and/or cancellations;
or
 - C) Property owner or agent access delays and/or cancellations,
including when an individual responsible for providing access to a
property fails to appear at the scheduled time;
- 7) Any and all fees and charges charged to an Illinois appraiser, including but
not limited to fees and charges for:
 - A) Portal and/or ~~onboarding~~ ~~EDI access~~ or maintenance;
 - B) Systems access;
 - C) Technology applications and proprietary software ~~or cloud~~
~~computing~~ ~~usage~~;
 - D) Background and/or credit checks;
 - E) Review of assignments or samples; and
 - F) Application for panel approval.
- b) The registrant shall maintain records of all changes to written payment policies.
The fee schedules shall be definitive in nature. All fee schedules must be in
compliance with the provisions of the Truth in Lending Act (15 U.S.C. 1601)
relating to customary and reasonable fees.
- c) A registrant shall not prohibit an appraiser from including within the body of the
appraisal report that is submitted as part of an assignment, the following:
 - 1) The total fee that is collected by the AMC for the assignment;

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- 2) The amount agreed to between the AMC and the appraiser at the time of the engagement for the performance of the appraisal; or
- 3) Disclosure of the total compensation paid to the appraiser for the performance of the appraisal assignment and to the AMC for the related appraisal assignment or activity.
- d) If a registrant utilizes a third party service or business to disburse payment to the appraiser, the registrant is still responsible for the requirements as stipulated by the Act and this Part.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1452.110 Prior Written Notice (Repealed)

- a) ~~The registrant shall notify the appraiser, in writing, within 30 calendar days, prior to removing the appraiser from the list of approved appraisers. The notice shall include any and all causes leading to the removal.~~
- b) ~~The registrant shall notify the Division within 30 days after appraiser removals based upon a reasonable belief that the appraiser prepared an appraisal report in violation of Illinois law, administrative rules and/or USPAP.~~

(Source: Repealed at 49 Ill. Reg. _____, effective _____)

Section 1452.120 Assignment Guidelines and Policies; Engagement

- a) The registrant shall provide written assignment guidelines and conditions for each assignment. Those guidelines and conditions shall not deviate from USPAP and cannot be considered a jurisdictional exception without citation of the specific law or regulation. These guidelines and conditions may be contained within a master agreement.
- b) The registrant shall provide the appraiser with an engagement document that contains, but is not limited to, the following:
 - 1) The registrant's Illinois registration number and expiration date;

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- 2) The location of the property or properties that are the subject of the assignment and if obtainable, a legal description or plat of survey;
 - 3) Property type (e.g., single-family residence, industrial condominium, etc.);
 - 4) The total completed assignment compensation;
 - 5) The ~~registrant's~~ turn time or date on which the completed assignment must be provided to registrant~~requirements~~;
 - 6) The name and contact information for the registrant's representative;
 - 7) The name and contact information for any person whose assistance is required to gain access to the subject property (if applicable);
 - 8) A legible copy of a fully executed and complete sales contract, along with all pertinent addenda (if the transaction involves a sale);
 - 9) Registrant and/or ~~end-user~~ client guidelines or changes in guidelines;
 - 10) Information as to whether the owner of the property under appraisal has been advised that interior images may be required under the assignment criteria;
 - 11) Identification of the ~~end-user~~ client in any assignment or service request.
- c) A registrant that is not owned and controlled by an insured depository institution and not regulated by a federal financial institution's regulatory agency shall establish and comply with processes and controls reasonably designed to ensure that the AMC, in engaging an appraiser, selects an appraiser who is independent of the transaction and who has the requisite education, expertise, and experience necessary to competently complete the appraisal assignment for the particular market and property type.
- d) Appraisers hired by registrants must hold an appropriate Illinois appraisal license to develop and communicate any review that is not limited to a quality control review.

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- e) The registrant shall notify the appraiser, in writing, no later than 30 calendar days prior to removing the appraiser from the list of approved appraisers. The notice shall include any and all causes leading to the removal.
- f) The registrant shall notify the Department within 30 calendar days after appraiser removals based upon a reasonable belief that the appraiser prepared an appraisal report in violation of Illinois law, administrative rules, and/or USPAP.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1452.130 Appraisal Review; Quality Control Review (Repealed)

~~Appraisal reviewers must hold an appropriate Illinois appraisal license in order to develop and communicate any review that is not limited to a quality control review.~~

(Source: Repealed at 49 Ill. Reg. _____, effective _____)

Section 1452.140 Uniform Standards of Professional Appraisal Practice (USPAP)

- a) Pursuant to Section 160 of the Act, the ~~2024~~~~2012~~ USPAP, published by the Appraisal Standards Board of The Appraisal Foundation, 1155 15th Street, NW, Suite 1111, Washington DC 20005 (effective January 1, ~~2024~~~~2012~~), are hereby incorporated by reference with no later amendments or editions.
- b) All investigators, coordinators, auditors, and examiners employed or retained by the ~~Department~~~~Division~~ are exempt from the requirements of USPAP Standard 3 and USPAP Standard 4 while performing an investigation, audit, or examination.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1452.150 Compliance~~Reporting~~ Requirements

- a) The ~~Department~~~~Division~~ may require a registrant, pursuant to ~~an a-compliance~~ agreement or order, in connection with an investigation, or for the purpose of examination for compliance with state and federal regulations, to provide any reports, records or other documents pertaining to appraisal management activity that the ~~Department~~~~Division~~ may deem necessary to maintain standards of professional conduct, the competency of a registrant, and the protection of the public.

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- b) Pursuant to an agreement, order, disciplinary or non-disciplinary action, the Department may include requirements or conditions designed to maintain the standards of professional conduct, competency of a registrant, and protection of the public.
- c) The Department may, in its discretion, issue an administrative warning letter. Administrative warning letters are non-disciplinary.
- d) Pursuant to Section 65 of the Act, all registrants are required to fully cooperate with any audit, investigation, interrogatory, examination, or request for information regarding any aspect of the registrant's appraisal management practice or application for registration. Full cooperation includes, but is not necessarily limited to, providing to the Department, within 30 days after its request, a complete answer to any written interrogatory or request for clarification submitted to a registrant or employee of the registrant.
- e) The bond required by Section 50 of the Act shall be maintained by each registrant and for each renewal thereafter. This provision does not prohibit the registrant from maintaining a continuing bond during any registration term. Failure to maintain the bond and to provide the Department with written proof of the bond, upon request, shall result in cancellation of the license without hearing.
- f) All Department administrative hearings pursuant to this Act and Part shall be conducted in accordance with the Rules of Practice in Administrative Hearings as provided for in 68 Illinois Administrative Code 1110.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1452.160 Administrative Warning Letter (Repealed)

~~The Division may issue an administrative warning letter, as a form of non-disciplinary action authorized by Section 65 of the Act, with or without a compliance agreement that may include a fee allowed by Section 1452.200(e)(8). A compliance agreement may include conditions designed to maintain the standards of professional conduct, competency of a registrant and protection of the public. Administrative warning letters, with or without a compliance agreement, are not discipline and are not subject to the Freedom of Information Act [5 ILCS 140].~~

(Source: Repealed at 49 Ill. Reg. _____, effective _____)

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Section 1452.170 Cooperation Required with the Division (Repealed)

~~Pursuant to Section 65 of the Act, all registrants are required to fully cooperate with any audit, investigation, interrogatory, examination or request for information regarding any aspect of the registrant's appraisal management practice or application for registration. Full cooperation includes, but is not necessarily limited to, providing to the Division, within 30 days after its request, a complete answer to any written interrogatory or request for clarification submitted to a registrant or employee of the registrant.~~

(Source: Repealed at 49 Ill. Reg. _____, effective _____)

Section 1452.180 Felony Convictions; Discipline of Other Professional Registration; Notification (Repealed)

- a) ~~A registrant shall notify the Division in writing of any violation of Section 65(a)(3) of the Act relating to the registrant or the registrant's designated controlling person. This written notice shall be submitted within 30 days after the violation. In addition to the notice, the registrant shall provide to the Division all court records (including, but not limited to, indictments, information, plea agreements, pre-trial sentencing motions, investigations, judgment and sentencing orders and other orders) and other information required by the Division to determine fitness for registration.~~
- b) ~~A registrant that has a registration issued by another state or jurisdiction disciplined or the registrant's designated controlling person has a professional license disciplined as defined in Section 65(a)(10) of the Act shall notify the Division in writing within 30 days after any adverse temporary or final order. In addition to the notice, the registrant shall provide to the Division all adverse orders, whether by consent or otherwise, plea agreements, motions or pleadings in which a registrant has made a written statement or admission of culpability in the violation of a professional regulation or standard, or other information required by the Division to determine fitness for registration.~~

(Source: Repealed at 49 Ill. Reg. _____, effective _____)

Section 1452.190 Unprofessional Conduct

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~~"Dishonorable, unethical, or unprofessional conduct" as used in Section 65(a)(9) of the Act~~
includes, but is not limited to:

- a) Failing to satisfy a material term of ~~an~~a consent to administrative supervision
order issued by the Department~~or consent order~~;
- b) Altering, modifying or otherwise changing a completed appraisal report submitted
by an independent appraiser;
- c) Failure to retain records described in Section 1452.90;
- d) Operating without ~~an~~an approved designated controlling person;
- e) Operating without a current certificate of registration or authority to transact
business in Illinois~~an approved Temporary Certificate of Authority, when
required~~;
- ~~f)~~ ~~Engaging appraisal practice services from any licensed or certified Illinois
appraiser who is not in good standing with the Division without utilizing a
process of verifying the status of the appraiser by contacting the Department or
utilizing the National Registry of the Appraisal Subcommittee;~~
- ~~f)~~g) Failing to provide a written, ~~definitive~~ payment policy that complies with~~as
outlined in~~ Section 1452.100;
- ~~g)~~h) Requesting or requiring an appraiser to transmit an unsigned assignment result;
- ~~h)~~i) Deliberately interfering with a licensed ~~Illinois~~ appraiser's ability to comply with
USPAP;
- ~~i)~~j) Failing to deliver all information that supports a change in property value to a
licensed Illinois appraiser without good cause;
- ~~k)~~ ~~Failing to register within 180 calendar days after adoption of this Part and/or
continuing to act as an appraisal management company while not lawfully
registered;~~

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- ~~j)h)~~ Representing that~~Misrepresenting~~ client guidelines or assignment criteria are required by~~as a requirement of~~ federal or state statute without proper citation to the statute or regulation.
- ~~k)m)~~ Restricting the engagement of an Illinois licensed appraiser for an appraisal assignment solely on the licensee's level of licensure except as required or prohibited by the Real Estate Appraiser Licensing Act of 2002 [225 ILCS 458];
or:
- l) Aiding or assisting in the violation of the Act, this Part, or the Illinois Real Estate Appraiser Licensing Act of 2002.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1452.200 Fees

- a) All fees paid pursuant to the Act and this Part are non-refundable.
- ba) The application fee for an initial registration as an appraisal management company shall be \$2,500.
- cb) Renewal Application Fee for Appraisal Management Company~~Appraiser~~ Registration
- 1) The application fee to renew a registration as an appraisal management company for the annual renewal period shall be \$2,000 per year.
 - 2) The fee to reinstate a registration that has expired shall be \$500 plus the sum of all lapsed renewal fees.
 - 3) The fee to restore a registration that has been expired for more than 5 years shall be \$2,000 plus the sum of all lapsed renewal fees.
- de) The fee for issuance of a temporary authority~~Temporary Certificate of Authority~~ due to the loss of the designated controlling person shall be \$100. The fee for a subsequent 90-day extension of the temporary authority~~Temporary Certificate~~ shall be \$50.
- ed) General

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- ~~1)~~ ~~All fees paid pursuant to the Act and this Part are non-refundable.~~
- ~~2)~~ ~~The fee for the issuance of a duplicate registration certificate, for the issuance of a replacement registration certificate that has been lost or destroyed, or for the issuance of a registration certificate with a name or address change, other than during the renewal period, shall be \$25.~~
- ~~1)3)~~ The fee for a certification of a registrant's record for any purpose shall be ~~\$35~~\$25.
- ~~4)~~ ~~The fee for a decorative wall certificate of registration shall be the cost of producing the certificate.~~
- ~~5)~~ ~~The fee for a roster of persons registered under the Act shall be the cost of producing the roster.~~
- ~~2)6)~~ The fee for a copy of the transcript of any proceeding under the Act shall be the cost to produce the copy.
- ~~3)7)~~ The fee for certifying any record (e.g., a copy of a disciplinary order or application) shall be \$1 per page.
- ~~8)~~ ~~The Division may charge an administrative fee not to exceed \$5,000, as part of a compliance agreement issued with an administrative warning letter under Section 1452.160.~~
- ~~f)e)~~ The AMC National Registry fee shall be payable on an annual basis at a time and in an amount set forth in Section 1452.220. The late fee for failure to comply with the requirements of Section 1452.220 shall be \$250.
- ~~f)~~ ~~The late fee for failure to comply with the requirements of Section 1452.220 shall be \$250.~~

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1452.210 Granting Variances

The Director may grant variances from this Part in individual cases when ~~the Director finds that:~~

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- a) The provision from which the variance is granted is not statutorily mandated;
- b) ~~The~~~~No party will be injured by~~ granting of the variance would not be contrary to public welfare; and
- c) The rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1452.220 AMC National Registry Fees

- a) The Department will send notice, including a request for information, to each AMC regarding payment of AMC national registry~~National Registry~~ fees on or before April 1 of each calendar year.
- b) The notice described in subsection (a) will outline the reporting period and include instructions for the collection of those fees. The Department may also post the forms necessary to provide the required information on its website. Failure to receive notice from the Department regarding annual payment of AMC national registry~~National Registry~~ fees does not relieve an AMC from submitting the required information and paying the applicable AMC national registry~~National Registry~~ fee in a timely manner, as required by this Section~~subsection (c)~~.
- c)~~b)~~ Fees shall be calculated based upon each 12-month calendar period beginning May 1 and ending April 30. Fees shall be remitted and received by the Department no later than June 30~~July 1~~ to ensure that the Department is able to include the AMC on the national registry submission sent to the Appraisal Subcommittee. Fees shall not be prorated and are nonrefundable.
- d)~~e)~~ Annually, no later than June 30~~July 1~~, AMCs operating in Illinois, including registered AMCs and federally regulated~~federally-regulated~~ AMCs operating in Illinois, shall:
 - 1) Provide information to the Department necessary to support its calculation of the size of its appraiser panel and the determination of its applicable AMC national registry~~National Registry~~ fee.

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2) Submit fees in the following amounts to the Department:

- A) In the case of an AMC that has been in existence for more than a year, and oversees an appraiser panel of 16 or more State-certified appraisers in Illinois or 25 or more State-certified or State-licensed appraisers in 2 or more jurisdictions, \$25 multiplied by the number of appraisers who have performed an appraisal for the AMC in connection with a covered transaction in Illinois during the previous fee calculation period; or
- B) In the case of an AMC that has not been in existence for more than a year, and oversees an appraiser panel of 16 or more State-certified appraisers in Illinois or 25 or more State-certified or State-licensed appraisers in 2 or more jurisdictions, \$25 multiplied by the number of appraisers who have performed an appraisal for the AMC in connection with a covered transaction in Illinois since the AMC commenced doing business.

~~d) Fees shall not be prorated and are nonrefundable. No partial year registrations on the AMC National Registry shall be granted.~~

e) AMCs registered in Illinois with the qualifying panel size will be required to submit the information requested, and if active and in good standing be placed on the AMC national registry regardless of number of covered transactions.

f)e) Failure to submit the required information and pay the applicable AMC National Registry fee in a timely manner, as required in this Section, is a violation of this Section that may result in:

1) Either:

- A) Assessment of a late fee; or
- B) Disciplinary action, including revocation or suspension of a registration as provided for at 225 ILCS 459/65; ~~or~~and

C)2) Exclusion from the AMC National Registry.

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g)~~f)~~ The Department shall remit to the ASC the annual AMC National Registry fee received from each AMC~~the AMCs~~ in accordance with this Section.

h) An AMC shall be subject to the national registry fee in addition to the annual fee for renewal of registration in Illinois.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Video Gaming (General)
- 2) Code Citation: 11 Ill. Adm. Code 1800
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
1800.265	Amendment
1800.320	Amendment
1800.322	New Section
1800.430	Amendment
1800.450	New Section
1800.550	Amendment
- 4) Statutory Authority: Authorized by Section 78(a)(3) of the Video Gaming Act [230 ILCS 40/78(a)(3)], which provides that the Illinois Gaming Board ("IGB") shall "adopt rules for the purpose of administering the provisions of this Act."
- 5) A Complete Description of the Subjects and Issues Involved: This rule represents the culmination of numerous multi-year discussions with video gaming industry stakeholders regarding vertical integration, sales agents, and revenue share agreements. The IGB views this rulemaking as a solution to many of the regulatory, gaming integrity, ethical conduct, compliance, and efficiency problems and challenges discussed in those conversations.

From the date of its enactment in 2009, the Video Gaming Act (the "Act") has prohibited vertical integration among different tiers of video gaming licensees. Among its other provisions on this topic, Section 30 of the Act [230 ILCS 40/30] prohibits terminal operators from being licensed as establishments or from owning, managing, or controlling licensed establishments. The First Illinois Appellate District Court upheld the Act's tiered license structure and restrictions on vertical integration in 2019 in *Dotty's Café v. Illinois Gaming Board*, 2019 IL App (1st) 173207. More recently, Public Act 102-0689, effective December 17, 2021, added to the prohibitions on vertical integration by banning licensed sales agents from owning or controlling licensed establishments. By enacting this new prohibition, the General Assembly reiterated the Act's intent to prevent persons from simultaneously participating on both sides of the video gaming terminal operator- establishment divide. Certain practices may have developed over the years since 2009 that could be at odds with the spirit and intent of the Act's vertical integration prohibition, thereby creating uncertainty, inconsistency and suspicion.

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In December 2024, during the late stages of a prior vertical integration rulemaking, the Illinois Gaming Machine Operators Association ("IGMOA") suggested that the Board adopt a rule requiring licensed sales agents and brokers to retain records of services provided and fees paid to video gaming locations. The IGB agrees with the IGMOA that a rule governing sales agent and broker record retention is worthwhile and necessary. This rule includes that suggestion.

In addition to addressing record retention, the IGB included an expedited process for sales agent licensure in this rule that will allow for the efficient use of IGB resources without sacrificing the stringent regulation with which IGB oversees video gaming. In 2021, the General Assembly amended the Act to provide for sales agent licensure. Prior to this amendment, sales agents were not contemplated under the Act, as they were wholly developed through industry practice. To that end, terminal handlers and technicians make the most sense for this expedited process because the existing application and investigatory process is similar and already established.

Finally, to achieve compliance with the statutory mandate and legislative intent regarding vertical integration in an effective, ethical, consistent and transparent manner, this rule proposes adopting uniform standards to prohibit certain problematic arrangements among licensees, instead of addressing the issue through intensive investigations and disciplinary proceedings or not at all. The effective date of the amendments occurs at the end of a current use agreement but would apply to all new applicants and licensees if the rule is adopted.

In summation, the rule provides requirements for sales agent record retention, creates uniform and clear rules to prohibit problematic arrangements that could run afoul of the Act's vertical integration requirements, and establishes an expedited process to license sales agents if they are already licensed terminal handlers and technicians in good standing.

Specifically, the rule makes the following amendments:

Section 1800.265 is amended to add a record retention requirement for all services provided to, and fees received from a video gaming location. The amendment is consistent with existing record retention requirements applicable to other video gaming licenses and will increase the transparency of interactions between sales agents and video gaming locations. The proposed record retention requirement will also advance the IGB's gaming integrity interests by introducing additional controls and professionalism to sales agent activities. Lastly, the record

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retention requirement will augment the IGB's enforcement functions, especially surrounding possible inducements and related misconduct, by creating a paper trail for investigations and audits.

Section 1800.320 is amended to provide that use agreements that do not comply with Illinois law or Board rules and directives may not be renewed. This change will ensure that use agreements comport with prohibitions against vertical integration found in new sections 1800.322 and 1800.450 and will enhance the efficiency, transparency, and consistency of the IGB's regulatory functions.

New Section 1800.322 prohibits use agreements between terminal operators and establishments under certain circumstances, including where owners or persons of significant influence or control of a terminal operator are immediate family members of a direct or indirect owner, or a person of significant influence or control, of an establishment or any affiliated entity. The new Section also prohibits a terminal operator that is the landlord of an establishment from entering into a use agreement with that establishment. Lastly, the Section prohibits sales agents who are not terminal operators from soliciting use agreements from locations owned or controlled by the sales agent's immediate family.

Section 1800.430 is amended to provide that the franchisors of an establishment are considered persons of significant influence or control of the establishment when the establishment obtains more than 50 percent of its revenue from net terminal income. This change will ensure that terminal operators cannot use the franchise mechanism to exercise indirect control over establishments.

New Section 1800.450 makes explicit that all licensees are limited to one tier of the video gaming industry. This limitation forces all individuals and business entities to decide whether they wish to participate in the industry on the terminal operator side – including as terminal handlers, technicians, or sales agents – or on the establishment side. By prohibiting the practices that have developed over the years involving employees of terminal operators acting as establishment owners, or establishment owners being paid as terminal handlers, this Section will make it much more difficult for licensees to engage in behavior that may violate Section 30 of the Act. This change advances the statutory prohibition on vertical integration and further enhances integrity, compliance and public trust in the video gaming industry.

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Section 1800.550 is amended to provide for licensed terminal handlers and technicians otherwise in good standing to receive a sales agent license upon filing the application and paying all necessary fees. Likewise, licensed sales agents may receive a terminal handler or a technician license upon meeting the same criteria.

In recognition of potential difficulties faced by licensees in promptly complying with the requirements of the rulemaking, new Sections 1800.322 and 1800.450 include clauses tying application of these Sections to the expiration of current use agreements under which video gaming terminals are placed. This will allow licensees to take the necessary actions required to come into compliance with new Sections 1800.322 and 1800.450 during the term of current use agreements.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? Yes

<u>Section Number:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
1800.420	Amendment	49 Ill. Reg. 10965; September 5, 2025

- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate under the State Mandates Act [30 ILCS 805].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested person may submit comments in writing concerning this proposed rulemaking not later than 45 days after publication of this Notice in the *Illinois Register* to:

Daniel Gerber
General Counsel
Illinois Gaming Board
160 North LaSalle Street
Chicago, Illinois 60601

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Telephone: (312) 814-4700
Fax: (312) 814-7253
IGB.RuleComments@Illinois.gov

13) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: The rulemaking will apply to all licensees under the Video Gaming Act that qualify as small businesses.
- B) Reporting, bookkeeping or other procedures required for compliance: Terminal operator applicants and licensees shall be required to retain a record of all services provided to, and fees received from, a video gaming location. These materials and logs shall be retained in accordance with the retention schedule prescribed by the Board and shall be made available to the Board or its agents upon request. The rulemaking will require Board review of the ownership interests and financial activities of video gaming applicants, licensees, and persons with significant influence or control in the following license categories: terminal operators, sales agents and brokers, and video gaming locations.
- C) Types of professional skills necessary for compliance: Skills in investigations of company ownership structures and finances. The Board's finance and audit unit and sworn investigators will participate in enforcing the provisions of the rulemaking.

14) Small Business Impact Analysis:

- A) Types of businesses subject to the proposed rule:
 - 44-45 Retail Trade;
 - 55 Management of Companies and Enterprises;
 - 71 Arts, Entertainment, and Recreation.
- B) Categories that the agency reasonably believes the rulemaking will impact, including:
 - i. hiring and additional staffing;
 - ii. regulatory requirements;

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- v. licensing fees;
- viii. record keeping; or
- ix. compensation and benefits.

- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not summarized in a regulatory agenda.

The full text of the Proposed Amendments begins on the next page:

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TITLE 11: ALCOHOL, HORSE RACING, LOTTERY, AND VIDEO GAMING

SUBTITLE D: VIDEO GAMING

CHAPTER I: ILLINOIS GAMING BOARD

PART 1800

VIDEO GAMING (GENERAL)

SUBPART A: GENERAL PROVISIONS

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1800.110	Definitions
1800.115	Gender
1800.120	Inspection
1800.130	Board Meetings
1800.140	Service Via E-mail

SUBPART B: DUTIES OF LICENSEES

Section	
1800.210	General Duties of All Video Gaming Licensees
1800.220	Continuing Duty to Report Information
1800.230	Duties of Licensed Manufacturers
1800.240	Duties of Licensed Distributors
1800.250	Duties of Terminal Operators
1800.260	Duties of Licensed Technicians and Licensed Terminal Handlers
1800.265	Duties of Sales Agents and Brokers
1800.270	Duties of Licensed Video Gaming Locations

SUBPART C: STANDARDS OF CONDUCT FOR LICENSEES

Section	
1800.310	Grounds for Disciplinary Actions
1800.320	Minimum Standards for Use Agreements
1800.321	Solicitation of Use Agreements or Agreements that Purport to Control the Placement and Operation of Video Gaming Terminals
1800.322	Restrictions on Use Agreements
1800.330	Economic Disassociation
1800.340	Change in Ownership of Terminal Operators and Assets Held by Terminal Operators

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1800.350	Inducements
1800.360	Terminal Operator Record Retention
1800.370	Deactivation of Video Gaming Terminals
1800.380	Advertising and Marketing

SUBPART D: LICENSING QUALIFICATIONS

Section	
1800.410	Coverage of Subpart
1800.420	Qualifications for Licensure
1800.430	Persons with Significant Influence or Control
1800.440	Undue Economic Concentration
1800.450	Restrictions on Multiple Licenses

SUBPART E: LICENSING PROCEDURES

Section	
1800.510	Coverage of Subpart
1800.520	Applications
1800.530	Submission of Application
1800.540	Application Fees
1800.550	Consideration of Applications by the Board
1800.555	Withdrawal of Applications and Surrender of Licenses
1800.560	Issuance of License
1800.570	Renewal of License
1800.580	Annual Fees
1800.590	Death and Change of Ownership of Video Gaming Licensee
1800.595	Temporary Identification Badge

SUBPART F: DENIALS OF APPLICATIONS FOR LICENSURE

Section	
1800.610	Coverage of Subpart
1800.615	Requests for Hearing
1800.620	Appearances
1800.625	Appointment of Administrative Law Judge
1800.630	Discovery
1800.635	Subpoenas
1800.640	Motions for Summary Judgment

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1800.650	Proceedings
1800.660	Evidence
1800.670	Prohibition on Ex Parte Communication
1800.680	Sanctions and Penalties
1800.690	Transmittal of Record and Recommendation to the Board
1800.695	Status of Applicant for Licensure Upon Filing Request for Hearing

SUBPART G: DISCIPLINARY ACTIONS AGAINST LICENSEES

Section	
1800.710	Coverage of Subpart
1800.715	Notice of Proposed Disciplinary Action Against Licensees
1800.720	Hearings in Disciplinary Actions
1800.725	Appearances
1800.730	Appointment of Administrative Law Judge
1800.735	Discovery
1800.740	Subpoenas
1800.745	Motions for Summary Judgment
1800.750	Proceedings
1800.760	Evidence
1800.770	Prohibition on Ex Parte Communication
1800.780	Sanctions and Penalties
1800.790	Transmittal of Record and Recommendation to the Board
1800.795	Persons Subject to Proposed Orders of Economic Disassociation

SUBPART H: LOCATION OF VIDEO GAMING TERMINALS IN
LICENSED VIDEO GAMING LOCATIONS

Section	
1800.810	Location and Placement of Video Gaming Terminals
1800.815	Licensed Video Gaming Locations Within Malls
1800.820	Measurement of Distances from Locations
1800.830	Waivers of Location Restrictions

SUBPART I: SECURITY INTERESTS

Section	
1800.910	Approvals Required, Applicability, Scope of Approval
1800.920	Notice of Enforcement of a Security Interest

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1800.930 Prior Registration

SUBPART J: TRANSPORTATION, REGISTRATION,
AND DISTRIBUTION OF VIDEO GAMING TERMINALS

Section

1800.1010 Restriction on Sale, Distribution, Transfer, Supply and Operation of Video Gaming Terminals
1800.1020 Transportation of Video Gaming Terminals into the State
1800.1030 Receipt of Video Gaming Terminals in the State
1800.1040 Transportation of Video Gaming Terminals Between Locations in the State
1800.1050 Approval to Transport Video Gaming Terminals Outside of the State
1800.1060 Placement of Video Gaming Terminals
1800.1065 Registration of Video Gaming Terminals
1800.1070 Disposal of Video Gaming Terminals

SUBPART K: STATE-LOCAL RELATIONS

Section

1800.1110 State-Local Relations

SUBPART L: FINGERPRINTING OF APPLICANTS

Section

1800.1210 Definitions
1800.1220 Entities Authorized to Perform Fingerprinting
1800.1230 Qualification as a Livescan Vendor
1800.1240 Fingerprinting Requirements
1800.1250 Fees for Fingerprinting
1800.1260 Grounds for Revocation, Suspension and Denial of Contract

SUBPART M: PUBLIC ACCESS TO INFORMATION

Section

1800.1310 Public Requests for Information

SUBPART N: PAYOUT DEVICES AND REQUIREMENTS

Section

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- 1800.1410 Ticket Payout Devices
1800.1420 Redemption of Tickets Following Removal or Unavailability of Ticket Payout Devices
1800.1421 Redemption of Video Gaming Tickets During a Coin Shortage

SUBPART O: NON-PAYMENT OF TAXES

- Section
1800.1510 Non-Payment of Taxes

SUBPART P: CENTRAL COMMUNICATIONS SYSTEM

- Section
1800.1610 Use of Gaming Device or Individual Game Performance Data

SUBPART Q: RESPONSIBLE GAMING

- Section
1800.1710 Conversations About Responsible Gaming
1800.1720 Responsible Gaming Education Programs
1800.1730 Problem Gambling Registry
1800.1740 Utilization of Technology to Prevent Problem Gambling
1800.1750 Problem Gambling Signage

SUBPART R: IMPLEMENTATION OF TECHNOLOGY

- Section
1800.1810 Implementation of Technology

SUBPART S: INDEPENDENT TESTING LABORATORIES

- Section
1800.1910 Independent Outside Testing Laboratories
1800.1920 Minimum Duties of an Independent Outside Testing Laboratory
1800.1930 Testing of Video Gaming Equipment
1800.1940 Approval of Video Gaming Equipment

SUBPART T: IN-LOCATION PROGRESSIVE GAMES

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Section

1800.2010	In-location Progressive Games
1800.2020	Optional Nature of In-location Progressive Games
1800.2030	Procedures Within Licensed Video Gaming Locations
1800.2040	Payments of Progressive Jackpot Amount
1800.2050	Deductions from Progressive Jackpots
1800.2060	Progressive Jackpot Coordinator
1800.2070	Progressive Meters

SUBPART U: UNDERAGE GAMBLING COMPLIANCE

Section

1800.2110	Statement of Purpose
1800.2120	Program Considerations
1800.2130	Utilization of Confidential Sources
1800.2140	Provision of Funds
1800.2150	Operational Procedures
1800.2160	Reporting and Evidence
1800.2170	Cooperation with Local Law Enforcement Agencies

1800.EXHIBIT A Youth Participant Consent Form

1800.EXHIBIT B Underage Gambling Participant Acknowledgment

AUTHORITY: Implementing and authorized by the Video Gaming Act [230 ILCS 40].

SOURCE: Adopted by emergency rulemaking at 33 Ill. Reg. 14793, effective October 19, 2009, for a maximum of 150 days; adopted at 34 Ill. Reg. 2893, effective February 22, 2010; emergency amendment at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days; emergency expired November 11, 2010; amended at 35 Ill. Reg. 1369, effective January 5, 2011; emergency amendment at 35 Ill. Reg. 13949, effective July 29, 2011, for a maximum of 150 days; emergency expired December 25, 2011; amended at 36 Ill. Reg. 840, effective January 6, 2012; amended by emergency rulemaking at 36 Ill. Reg. 4150, effective February 29, 2012, for a maximum of 150 days; amended at 36 Ill. Reg. 5455, effective March 21, 2012; amended at 36 Ill. Reg. 10029, effective June 28, 2012; emergency amendment at 36 Ill. Reg. 11492, effective July 6, 2012, for a maximum of 150 days; emergency expired December 2, 2012; emergency amendment at 36 Ill. Reg. 12895, effective July 24, 2012, for a maximum of 150 days; amended at 36 Ill. Reg. 13178, effective July 30, 2012; amended at 36 Ill. Reg. 15112, effective October 1, 2012; amended at 36 Ill. Reg. 17033, effective November 21, 2012; expedited correction at 39 Ill. Reg. 8183, effective November 21, 2012; amended at 36 Ill. Reg. 18550, effective December

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14, 2012; amended at 37 Ill. Reg. 810, effective January 11, 2013; amended at 37 Ill. Reg. 4892, effective April 1, 2013; amended at 37 Ill. Reg. 7750, effective May 23, 2013; amended at 37 Ill. Reg. 18843, effective November 8, 2013; emergency amendment at 37 Ill. Reg. 19882, effective November 26, 2013, for a maximum of 150 days; emergency amendment suspended by the Joint Committee on Administrative Rules at 38 Ill. Reg. 3384, effective January 14, 2014; suspension withdrawn at 38 Ill. Reg. 5897; emergency repeal of emergency amendment at 38 Ill. Reg. 7337, effective March 12, 2014, for the remainder of the 150 days; amended at 38 Ill. Reg. 849, effective December 27, 2013; amended at 38 Ill. Reg. 14275, effective June 30, 2014; amended at 38 Ill. Reg. 19919, effective October 2, 2014; amended at 39 Ill. Reg. 5401, effective March 27, 2015; amended at 39 Ill. Reg. 5593, effective April 1, 2015; amended at 40 Ill. Reg. 2952, effective January 27, 2016; amended at 40 Ill. Reg. 8760, effective June 14, 2016; amended at 40 Ill. Reg. 12762, effective August 19, 2016; amended at 40 Ill. Reg. 15131, effective October 18, 2016; emergency amendment at 41 Ill. Reg. 2696, effective February 7, 2017, for a maximum of 150 days; amended at 41 Ill. Reg. 2939, effective February 24, 2017; amended at 41 Ill. Reg. 4499, effective April 14, 2017; amended at 41 Ill. Reg. 10300, effective July 13, 2017; amended at 42 Ill. Reg. 3126, effective February 2, 2018; amended at 42 Ill. Reg. 3735, effective February 6, 2018; emergency amendment at 43 Ill. Reg. 9261, effective August 13, 2019, for a maximum of 150 days; emergency amendment, except for the definition of "in-location bonus jackpot game" or "in-location progressive game" and the definition of "progressive jackpot" in Section 1800.110 and except for Section 1800.250(x), suspended at 43 Ill. Reg. 11061, effective September 18, 2019; amended at 44 Ill. Reg. 489, effective December 27, 2019; emergency amendment at 43 Ill. Reg. 9788, effective August 19, 2019, for a maximum of 150 days; amended at 44 Ill. Reg. 1961, effective December 31, 2019; emergency amendment at 43 Ill. Reg. 11688, effective September 26, 2019, for a maximum of 150 days; amended at 44 Ill. Reg. 3205, effective February 7, 2020; emergency amendment at 43 Ill. Reg. 13464, effective November 8, 2019, for a maximum of 150 days; emergency amendment suspended by the Joint Committee on Administrative Rules at 43 Ill. Reg. 13479, effective November 12, 2019; suspension withdrawn at 44 Ill. Reg. 3583; emergency amendment to emergency rule at 44 Ill. Reg. 3568, effective February 21, 2020, for the remainder of the 150 days; amended at 44 Ill. Reg. 10891, effective June 10, 2020; amended at 43 Ill. Reg. 14099, effective November 21, 2019; emergency amendment at 44 Ill. Reg. 10193, effective May 27, 2020, for a maximum of 150 days; amended at 44 Ill. Reg. 16454, effective September 25, 2020; emergency amendment at 44 Ill. Reg. 11104, effective June 15, 2020, for a maximum of 150 days; emergency expired November 11, 2020; amended at 44 Ill. Reg. 11134, effective June 22, 2020; emergency amendment at 44 Ill. Reg. 13463, effective July 28, 2020, for a maximum of 150 days; emergency expired December 24, 2020; amended at 45 Ill. Reg. 3424, effective March 8, 2021; amended at 45 Ill. Reg. 5375, effective April 12, 2021; amended at 45 Ill. Reg. 9971, effective July 20, 2021; emergency amendment at 45 Ill. Reg. 10074, effective July 26, 2021, for a maximum of 150 days; emergency expired December 22, 2021; amended at 46 Ill. Reg. 5530,

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effective March 16, 2022; amended at 46 Ill. Reg. 6916, effective April 25, 2022; amended at 46 Ill. Reg. 17107, effective September 28, 2022; amended at 46 Ill. Reg. 18049, effective October 31, 2022; amended at 47 Ill. Reg. 2682, effective February 10, 2023; amended at 47 Ill. Reg. 16355, effective November 1, 2023; amended at 48 Ill. Reg. 15438, effective October 18, 2024; amended at 49 Ill. Reg. 728, effective December 31, 2024; amended at 49 Ill. Reg. 9989, effective July 17, 2025; amended at 49 Ill. Reg. _____, effective _____.

SUBPART B: DUTIES OF LICENSEES

Section 1800.265 Duties of Sales Agents and Brokers

In addition to all other duties and obligations required by the Act and this Part, each licensed sales agent and broker, or any person of significant influence or control of a terminal operator that is engaged in the solicitation of use agreements or any other agreement that purports to control the placement and operation of video gaming terminals for that terminal operator, has an ongoing duty to comply with the following:

- a) Carry and display identification issued by the Board when engaged in the active solicitation of use agreements on behalf of a terminal operator;
- b) Pay a fee of \$10 to the Board for any necessary replacement of identification;
- c) Return Board issued identification to the Board within 30 days upon expiration, surrender, or termination of licensure, or rescission of Board issued temporary identification;
- d) Only solicit or facilitate use agreements or agreements that purport to control the placement and operation of video gaming terminals with video gaming locations that comply with the Act and this Part;
- e) Offer or provide nothing of value to any video gaming location, or any person related to or affiliated with video gaming location as identified in Section 1800.350(a)(2) of this Part, as an incentive or inducement to locate, keep or maintain video gaming terminals at the video gaming location (see Section 1800.350);
- f) Affirmatively disclose to every video gaming location being solicited the identity of any terminal operator on whose behalf the person is acting when soliciting use

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agreements or any agreements that purport to control the placement and operation of video gaming terminals.

- g) Disclose to any terminal operator on whose behalf the sales agent and broker is acting the identity of any and all of that sales agent and broker's employees, subcontractors, or other persons who may assist the sales agent and broker in solicitation or facilitation of use agreements or other agreements that purport to control the placement and operation of video gaming terminals on behalf of that terminal operator. Sales agents and brokers shall make such disclosure before those persons may engage in any solicitation or facilitation on behalf of the terminal operator.
- h) Offer or provide nothing of value to any other person as any form of compensation or payment in connection with the solicitation of use agreements or agreements that purport to control the placement and operation of video gaming terminals on behalf of a terminal operator unless:
 - 1) The person is a licensed sales agent and broker, and
 - 2) The person has been disclosed to the terminal operator as having been involved in the solicitation of the agreement for which that person is receiving compensation or payment.
- i) Retain a record of all payments or compensation of any kind made to any person in connection with the solicitation of use agreements or any other agreements that purport to control the placement and operation of video gaming terminals.
- j) Retain a record of all services provided to, and fees received from, a video gaming location.
- k) These records shall be held for at least as long as prescribed by the Records Retention Schedule periodically published by the Administrator, or longer if otherwise prescribed by general accounting and auditing procedures.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

SUBPART C: STANDARDS OF CONDUCT FOR LICENSEES

Section 1800.320 Minimum Standards for Use Agreements

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- a) No video gaming terminals may be placed unless the written agreement between the licensed terminal operator and the video gaming location complies with this Section. Any agreement under which video gaming terminals are currently placed~~All Use Agreements~~ must comply with the following:
- 1) Only be between:
 - A) A licensed terminal operator that, beginning July 15, 2014, is licensed by the Board at the time the Use Agreement is signed; and
 - B) For all applicants filing application for a licensed video gaming location on or after October 1, 2022, any of the following:
 - i) a licensed video gaming location;
 - ii) an applicant to become a licensed video gaming location;
or
 - iii) any person that applies to become a licensed video gaming location within one year of executing the Use Agreement;
 - 2) Subject to the requirements of subsection (a)(1)(B), if an applicant becomes licensed, a first-in-time Use Agreement, and any amendments thereto, shall control from the date the Use Agreement is executed, and be superior to any Use Agreements executed by the applicant after the first-in-time Use Agreement's execution.
 - 3) An executed Use Agreement becomes void if either:
 - A) the person executing the Use Agreement under subsection (a)(1)(B) fails to apply for a video gaming location license within one year of execution; or
 - B) the person executing the Use Agreement under subsection (a)(1)(B) is denied a video gaming location license by a Final Board Order.

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- 4) Contain an affirmative statement that no inducement was offered or accepted regarding the placement or operation of video gaming terminals in a licensed video gaming location.
 - 5) Contain an indemnity and hold harmless provision on behalf of the State, the Board and its agents relative to any cause of action arising from a use agreement.
 - 6) Prohibit any assignment other than from a licensed terminal operator to another licensed terminal operator.
 - 7) Contain a provision that releases the video gaming location from any continuing contractual obligation to the terminal operator in the event that the terminal operator has its license revoked or denied, has its renewal denied, or surrenders its license.
 - 8) State which sales agent, broker or other person, if any, procured the Use Agreement on behalf of the terminal operator.
 - 9) Not provide for automatic renewal in the absence of cancellation.
 - 10) Not be for a length of time exceeding eight years.
 - 11) Contain a provision that terminates the Use Agreement if an applicant to be a licensed video gaming location is denied pursuant to a final Board order or a licensed video gaming location is not renewed pursuant to a final Board order.
 - 12) Contain a provision that the parties agree to modify the Use Agreement to the extent necessary to comply with a change in Illinois statutes, Board rules, or a Board directive or order.
 - 13) Terminal Operators shall provide a final copy of the Use Agreement to the video gaming location after execution by the parties.
- b) Petitions
- 1) The Board shall decide a petition brought by a terminal operator, licensed video gaming location or other interested party to determine the validity or

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enforceability of an agreement, or portion of an agreement, that purports to control the location and operation of video gaming terminals. For purposes of this Section an "interested party" is a party asserting legal rights whose enforcement requires, or may be materially and substantially affected by, Board action. Issues the Board has authority to decide under this subsection (b) include, but are not limited to, the following:

- A) Whether the agreement is one that controls the placement or operation of video gaming terminals.
 - B) When two or more agreements between a licensed video gaming location and one or more terminal operators have overlapping effective dates, which of the agreements is valid during the period of overlap.
 - C) Whether an agreement, or portion of an agreement, complies with the requirements of the Act and this Part.
 - D) Whether a renewal provision in an agreement poses such obstacles against non-renewal, or confusion about the procedures for non-renewal, as to constitute an undue burden on the licensed video gaming location that has entered into the provision.
 - E) Whether a terminal operator or anyone on its behalf has used coercion, deception, or an inducement or incentive in violation of Section 25(c) of the Act or this Part to persuade a licensed video gaming location to enter into or renew an agreement.
 - F) Whether one or more terms of an agreement constitute practices detrimental to the public interest or against the best interests of video gaming.
- 2) Petitions under this subsection (b) shall be in writing and shall include an original and one copy unless submitted by e-mail to an e-mail address designated for that purpose on the Board's website. Any petitioner under this Section shall bear the burden of proof by clear and convincing evidence. A petition shall contain the following:

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- A) The name, current address, current telephone number, and e-mail address of the petitioner.
 - B) Detailed facts and reasons upon which the petitioner relies in arguing that an agreement, or portion of an agreement, is invalid or unenforceable. Petitions may include documentary evidence and affidavits. When the petitioner is petitioning as an interested party, the petition must include detailed facts and reasons upon which the petitioner relies in arguing that it has legal rights whose enforcement requires, or may be materially and substantially affected by, Board action.
 - C) A signature of the petitioner.
 - D) A verification of the petition in the following form:

"The undersigned certifies that the statements set forth in this petition are true and correct, except as to matters therein stated to be on information and belief, and as to such matters the undersigned certifies that he or she verily believes the same to be true."
 - E) A notarization.
- 3) Following receipt of a petition meeting the requirements of subsection (b)(2), the Administrator shall promptly send by certified mail or e-mail to each non-petitioning terminal operator or licensed video gaming location or other interested party named in the petition a complete copy of the petition, including all submitted documents. Non-petitioning parties named in the petition must file a response within 21 days after their receipt of the petition. All responses shall be in writing and shall include an original and one copy unless submitted by e-mail to an e-mail address designated for that purpose on the Board's website. A response shall be deemed filed on the date on which it is postmarked. The response shall contain the following:
- A) The name, current address, current telephone number, and e-mail address of the responding party.

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- B) A clear and concise statement admitting or denying each of the allegations set forth in the petition.
 - C) For all allegations that the licensee denies, detailed facts and reasons upon which the non-petitioning party relies in arguing that the agreement, or portion of the agreement, is valid or enforceable. Responses may include documentary evidence and affidavits.
 - D) A signature of the licensee.
 - E) A verification of the licensee in the following form:

"The undersigned certifies that the statements set forth in this response are true and correct, except as to matters therein stated to be on information and belief, and as to such matters the undersigned certifies that he or she verily believes the same to be true."
 - F) A notarization.
- 4) The Administrator shall promptly provide a petitioning party with complete copies of all submitted responses meeting the requirements of subsection (c)(2).
 - 5) Before rendering a recommended decision, the Administrator may require the parties to attend a conference to attempt to settle any dispute under this subsection (b)(5).
 - 6) Administrator's Recommended Decision
 - A) Following the expiration of the 21-day response period, the Administrator shall issue a written recommended decision on the validity or enforceability of the contested agreement, or contested portions of the agreement, based on the contents of the petition and any responses.
 - B) The Administrator's recommended decision shall set forth the reasons the Administrator is recommending the granting or denial of the petition. When the petition asserts more than one claim as to

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the validity or enforceability of the agreement, or a portion of the agreement, the Administrator shall separately decide each claim.

- C) Copies of the Administrator's recommended decision shall be served on each party by personal delivery, certified mail or overnight express mail to the party's last known address, or e-mail provided pursuant to Section 1800.140 or subsection (b)(2)(A) of this Section.
- 7) A petitioning party or party named in a petition brought under this subsection (b) may file exceptions to the recommended decision of the Administrator. The exception shall be filed with the Board no later than 14 days after receipt of the recommended decision. Exceptions shall specify each finding of fact and conclusion of law to which exception is taken. There shall be no oral argument on exceptions.
- 8) Intervention
 - A) Upon timely written application prior to the Administrator issuing a recommendation, the Administrator may, in his or her discretion, permit any interested party to intervene in the petition process, if that party may be materially and adversely affected by a final order arising from the petition.
 - B) In exercising his or her discretion, the Administrator shall consider whether intervention will unduly delay or prejudice the adjudication of the rights of the original parties.
 - C) A petition for intervention must meet the same standards as an initial petition or response under subsection (b)(2) or (b)(3). It must also include sufficient facts for the Administrator to find that the intervening party may be materially and adversely affected by a final order arising from the petition.
 - D) Upon making a determination that a party may be permitted to intervene, the Administrator shall provide to the intervenor a copy of the original petition, as well as any responses. The Administrator shall also notify all other parties that the petition to

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intervene has been granted, and provide those parties with a copy of the petition to intervene.

- 9) Prior to the Board rendering a decision, the Administrator may require the parties to attend a conference to attempt to settle any dispute under this subsection (b).
- 10) Any relief given by the Board under this subsection (b) shall be limited to deciding which agreement, or portion of the agreement, is valid for the placement and operation of video gaming terminals in a licensed video gaming location. The Board has the express authority to order a licensed terminal operator to remove its Video Gaming Terminals from a licensed establishment if an agreement, or portion of the agreement, is invalidated. The Board shall not award monetary damages of any kind. Any failure by a party to abide by the Board's decision shall subject the licensee to discipline.
- 11) Ex Parte Communication Prohibited. No party or its representative shall make any communication directly or indirectly with the Administrator, employees, or members of the Illinois Gaming Board regarding a pending petition that imparts material information or makes a material argument, except upon notice to and opportunity for all parties to participate.
- 12) Final Board Order
 - A) The Board shall review the entire record, including the petitions filed, the Administrator's recommended decision, and any exceptions filed, and shall render a written order including the bases for its decision.
 - B) Copies of the final Board order shall be served on each licensee by personal delivery, certified mail or overnight express mail to the licensee's last known address, or e-mail provided pursuant to Section 1800.140 or subsection (b)(2)(A) of this Section.
 - C) A final Board order shall become effective upon personal delivery to a party, upon posting by certified or overnight express mail to the party's last known address, or sending of e-mail provided

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pursuant to Section 1800.140 or subsection (b)(2)(A) of this Section.

- c) The Board shall promulgate a standard form for Use Agreements and establish an effective date for its implementation. All new and renewed Use Agreements entered into on or after that effective date shall incorporate the language of the standard form and shall be consistent with the standard form in all respects.
- d) Unless otherwise indicated, whenever the term "agreement" is used in this Section, it refers to an agreement that purports to control the operation and placement of video gaming terminals.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1800.322 Restrictions on Use Agreements

- a) No licensed terminal operator may enter into a use agreement or other agreement that purports to control the placement or operation of video gaming terminals with a video gaming location if a direct or indirect owner or person of significant influence or control of the licensed terminal operator or any affiliated entity is an immediate family member of a direct or indirect owner or person of significant influence or control of the licensed video gaming location or any affiliated entity.
- b) No licensed terminal operator may enter into a use agreement or other agreement that purports to control the placement or operation of video gaming terminals with a video gaming location if any or all of the real estate upon which the video gaming establishment is located is owned entirely or in part by the licensed terminal operator, an affiliated entity of the licensed terminal operator, a person of significant influence or control of the licensed terminal operator, a sales agent or broker for the licensed terminal operator, or an immediate family member of any person of significant influence or control of the licensed terminal operator.
- c) No sales agent and broker who is not otherwise a terminal operator may solicit a use agreement or other agreement that purports to control the placement or operation of video gaming terminals on behalf of a terminal operator from a video gaming location if that person is an immediate family member of a direct or indirect owner, officer, director, manager, employee, or person of significant influence or control of the video gaming location.

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d) Enforcement:

- 1) The prohibitions in this Part apply to all use agreements, except for any use agreement under which video gaming terminals are placed in a video gaming location on the effective date of this Section.
- 2) Any use agreement between parties in violation of this Part can continue to operate video gaming terminals until the expiration of that use agreement. That use agreement can only be renewed in accordance with Section 1800.320.
- 3) Any use agreement that does not comply with this Part shall be null and void.

(Source: Added at 49 Ill. Reg. _____, effective _____)

SUBPART D: LICENSING QUALIFICATIONS

Section 1800.430 Persons with Significant Influence or Control

- a) The Administrator shall identify each person that holds a position or level of influence over or control in each applicant or licensee that is significant to the regulatory concerns and obligations of the Board for the specified applicant or licensee.
- b) Each person identified as a person with significant influence or control shall comply with the following:
 - 1) Cooperate fully with any investigation conducted by or on behalf of the Board;
 - 2) Comply with the Act and this Part; and
 - 3) Submit initial and annual disclosure information on forms provided by the Board.
- c) An owner or person with significant influence or control of a terminal operator shall not play any video gaming terminal owned or leased by the terminal operator at any operating licensed location for recreational purposes.

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- d) Persons with significant influence or control include, but are not limited, to the following:
- 1) Each person in whose name the liquor license is maintained for each licensed video gaming location;
 - 2) Each person directly owning an applicant or licensee;
 - 3) Each person who holds an indirect ownership interest of at least 5 percent in an applicant or licensee;
 - 4) Each person who, in the opinion of the Administrator, has the ability to influence or control the activities of the applicant or licensee or elect a majority of its board of directors, other than a bank or other licensed lending institution that holds a mortgage or other lien, or any other source of funds, acquired in the ordinary course of business;
 - 5) Persons having the power to exercise significant influence or control over decisions concerning any part of the applicant's or licensee's video gaming operation;
 - 6) Any person or business entity receiving any net terminal income pursuant to a contractual agreement;
 - 7) Any person or business entity holding an option agreement to acquire an equity stake in a terminal operator licensee;
 - 8) Any person employed or designated by a terminal operator as a progressive jackpot coordinator.
 - 9) Any person that has entered into a franchise agreement, licensing agreement, intellectual property agreement, or other substantially similar agreement with a video gaming location or its parent as a franchisor or equivalent, when the video gaming location obtains greater than 50 percent of the video gaming location's revenue from net terminal income.
- e) The prohibition against gaming by persons with significant influence or control in a licensed nonprofit establishment, licensed fraternal establishment or licensed

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veterans establishment does not apply unless the person with significant influence or control directly manages the establishment's video gaming operation.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1800.450 Restrictions on Multiple Licenses

- a) A licensed terminal handler, licensed technician, or sales agent and broker shall not:
 - 1) Be a video gaming location;
 - 2) Hold direct or indirect ownership of a video gaming location;
 - 3) Hold direct or indirect ownership of an affiliated entity of a video gaming location;
 - 4) Be a person of significant influence or control of a video gaming location;
 - 5) Be employed by or otherwise receive fees for service from a video gaming location; or
 - 6) Be employed by or own or operate an affiliated entity of a video gaming location.
- b) A licensed terminal operator, a direct or indirect owner of a licensed terminal operator, a person of significant influence or control of a licensed terminal operator, or any person who is employed by or otherwise receives fees for service from a licensed terminal operator shall not:
 - 1) Be a video gaming location;
 - 2) Hold direct or indirect ownership of a video gaming location;
 - 3) Hold direct or indirect ownership of an affiliated entity of a video gaming location;
 - 4) Be a person of significant influence or control of a video gaming location;

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- 5) Be employed by or otherwise receive fees for service from a video gaming location; or
 - 6) Be employed by or own or operate an affiliated entity of a video gaming location.
- c) A video gaming location, a direct or indirect owner of a video gaming location, a person of significant influence or control of a video gaming location, or any person who is employed by or otherwise receives fees for service from a video gaming location, shall not:
- 1) Be a licensed terminal handler, licensed technician, or licensed sales agent and broker;
 - 2) Be a licensed terminal operator;
 - 3) Hold direct or indirect ownership of a licensed terminal operator or sales agent and broker;
 - 4) Hold direct or indirect ownership of an affiliated entity of a licensed terminal operator or sales agent and broker;
 - 5) Be a person of significant influence or control of a licensed terminal operator or sales agent and broker;
 - 6) Be employed by or otherwise receive fees for service from a licensed terminal operator or sales agent and broker; or
 - 7) Be employed by or own or operate an affiliated entity of a licensed terminal operator or sales agent and broker.
- d) Enforcement:
- 1) The prohibitions in this Part apply to all use agreements, except for any use agreement under which video gaming terminals are placed in a video gaming location on the effective date of this Section.
 - 2) Any use agreement between parties in violation of this Part can continue to operate video gaming terminals until the expiration of that use

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agreement. That use agreement can only be renewed in accordance with Section 1800.320.

(Source: Added at 49 Ill. Reg. _____, effective _____)

SUBPART E: LICENSING PROCEDURES

Section 1800.550 Consideration of Applications by the Board

- a) Only complete applications will be considered for licensure. Applications are complete when the applicant has submitted:

 - 1a) All information required by the Act and this Part;
 - 2b) All information required or requested by the Board; and
 - 3e) Payment of the application fee.
- b) A licensed technician, licensed terminal handler, or licensed sales agent and broker in good standing shall be issued a technician, terminal handler or sales agent and broker license upon:

 - 1) Completion of an application; and
 - 2) Payment of all applicable fees.
- c) Any license issued in accordance with subsection 2, above, shall be good for the term of the originally held technician, terminal handler or sales agent and broker license.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

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1) Heading of the Part: Manufacturing, Processing, Packing or Holding of Food Code

2) Code Citation: 77 Ill. Adm. Code 730

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
730.1000	Amendment
730.1005	Amendment
730.1006	Amendment
730.1010	New Section
730.2010	Amendment
730.2020	New Section
730.3005	New Section
730.9010	Amendment
730.TABLE A	New Section

4) Statutory Authority: Implementing and authorized by the Illinois Food, Drug and Cosmetic Act [410 ILCS 620].

5) A Complete Description of the Subjects and Issues Involved: The rulemaking will include updates to the rules to implement current industry standards for the National Shellfish Sanitation Program and other manufactured food programs. The rulemaking will also seek to implement permit requirements and fees for regulated facilities. Additionally, the rulemaking will include cleanup and statutory and other updates. The Department intends to file a separate recodification for the amendment of the name of Subpart B to be changed to "Permits".

The economic effect of this proposed rulemaking is unknown. Therefore, the Department will consider any information that would assist in calculating this effect.

6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: Permitting structures and fees of other states

7) Will this proposed rulemaking replace an emergency rule currently in effect? No

8) Does this rulemaking contain an automatic repeal date? No

9) Does this proposed rulemaking contain incorporations by reference? Yes

10) Are there any other proposed rulemakings pending on this Part? No

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- 11) Statement of Statewide Policy Objectives: The program seeks to establish a permitting system to improve the statewide inventory of food processing plants and food storage facilities. Fees are proposed to support activities of the program including inspection of facilities to ensure compliance with food safety and sanitation standards and regulations.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their written comments concerning this rulemaking within 45 days after this issue of the *Illinois Register*. Written comments suggesting amendments to the rulemaking must provide the reason for the suggested amendment. An edited version of the rulemaking is acceptable if submitted with the written comments and supporting reasons. Send written comments to:

Department of Public Health
Attention: Tracey Trigillo, Rules Coordinator
Lincoln Plaza
524 South 2nd Street, 6th Floor
Springfield, IL 62701

(217) 782-1159
dph.rules@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Food processing plants or food storage facilities
- Most of the businesses that are affected by the Department's rules fall under the definition of small businesses, small municipalities, and not for profit corporations. The Department's policy is to adopt only minimum standards and thus not cause undue hardship on these small businesses, small municipalities, and not for profit corporations. The proposed rules were written with small businesses, small municipalities, and not for profit corporations in mind and the requirements are the bare minimum requirements needed to assure the public health, safety, and welfare of the citizens of the State of Illinois.
- B) Reporting, bookkeeping or other procedures required for compliance: The rulemaking is not anticipated to require new procedures in addition to those already required for compliance.

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- C) Types of professional skills necessary for compliance: The rulemaking is not anticipated to require new professional skills for compliance in addition to the education, experience, and training already required in Section 730.8030 of the Manufacturing, Processing, Packing or Holding of Food Code.
- 14) Small Business Impact Analysis:
- A) Types of businesses subject to the proposed rule:
- 31-33 Manufacturing;
42 Wholesale Trade;
44-45 Retail Trade.
- B) Categories that the agency reasonably believes the rulemaking will impact, including:
- v. licensing fees
- 15) Regulatory Agenda on which this rulemaking was summarized: July 2025

The full text of the Proposed Amendments begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER m: FOOD, DRUGS AND COSMETICS

PART 730
MANUFACTURING, PROCESSING, PACKING OR HOLDING OF FOOD CODE

SUBPART A: GENERAL PROVISIONS

Section	
730.1000	Definitions
730.1005	Incorporated and Referenced Materials
730.1006	Compliance with National Standards
730.1010	Compliance with Current Good Manufacturing Practice Adequate (Repealed)
730.1020	Plant (Repealed)
730.1030	Sanitize (Repealed)

SUBPART B: CURRENT GOOD MANUFACTURING PRACTICE (SANITATION)

Section	
730.2010	General Permit Requirements Scope
730.2020	Permit Application, Renewal, and Fees

SUBPART C: PLANT AND GROUNDS

Section	
730.3005	Prohibitions
730.3010	Grounds
730.3020	Plant Construction and Design

SUBPART D: EQUIPMENT AND UTENSILS

Section	
730.4010	Suitable for Intended Use
730.4020	Cleanable
730.4030	Maintenance
730.4040	Prevents Contamination
730.4050	Installation

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SUBPART E: SANITARY FACILITIES AND CONTROLS

Section

730.5000	Adequate Sanitary Facilities and Accommodations
730.5010	Water Supply
730.5020	Sewage Disposal
730.5030	Plumbing
730.5040	Toilet Facilities
730.5050	Hand-washing Facilities
730.5060	Waste Disposal

SUBPART F: SANITARY OPERATIONS

Section

730.6010	General Maintenance
730.6020	Animal and Vermin Control
730.6030	Sanitation of Equipment and Utensils
730.6040	Storage and Handling of Cleaned Portable Equipment and Utensils

SUBPART G: PROCESSES AND CONTROLS

Section

730.7000	Adequate Sanitation Principles
730.7010	Raw Material Inspection, Storage, and Preparation
730.7020	Raw Material Carrier Inspection
730.7030	Potable Ice
730.7040	Cross Contamination
730.7050	Equipment Cleaning
730.7060	Proper Processing
730.7070	Testing Procedures
730.7080	Packaging
730.7090	Products Coded and Records Retained
730.7100	Product Storage and Carriers

SUBPART H: PERSONNEL

Section

730.8000	Management Responsibilities
730.8010	Disease Control

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730.8020 Cleanliness
730.8030 Education and Training
730.8040 Supervision

SUBPART I: EXCLUSIONS

Section

730.9010 Operations Excluded

[730.TABLE A](#) [Fee Schedule](#)

AUTHORITY: Implementing and authorized by the Illinois Food, Drug and Cosmetic Act [410 ILCS 620].

SOURCE: Filed November 12, 1969, effective January 12, 1970; codified at 8 Ill. Reg. 16832; amended at 35 Ill. Reg. 14187, effective August 2, 2011; amended at 40 Ill. Reg. 9201, effective June 21, 2016; amended at 41 Ill. Reg. 5808, effective May 11, 2017; amended at 49 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 730.1000 Definitions

The definitions and interpretations contained in section 201 of the Federal Food, Drug and Cosmetic Act (21 ~~U.S.C.~~^{USC} 321) and Section 502 of the Illinois Food, Drug and Cosmetic Act [410 ILCS 620] are applicable to terms used in this Part. Additional terms are defined as follows:

"Adequate" means that which is needed to accomplish the intended purpose in keeping with good public health practice.

"Department" means Illinois Department of Public Health.

"Establishment" means a business organization or public institution.

"Follow-up Inspection" or "Reinspection" means any inspection made by the Department to administer and enforce the Act and this Part for purposes of responding to a substantiated complaint, complying with a request by the permittee or its agent, or ensuring compliance with an order of the Department.

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This term does not include routine inspections performed by the Department.

"Food Processing Plant" means any building, facility or parts thereof located in Illinois used for or in connection with the manufacturing, packing, repackaging, holding, or transporting of human food products for distribution to another entity for resale or redistribution.

Food processing plant does not include:

A residential kitchen in a private home.

An establishment engaged solely in the harvesting, storage or distribution of one or more raw agricultural commodities, that is not ordinarily cleaned, prepared, treated, or otherwise processed before being marketed to the consuming public.

Slaughter or processing plants, meat and poultry brokers, or refrigerated warehouses regulated under the authority of the Department of Agriculture.

Dairy farms or milk plants regulated under the Grade A Pasteurized Milk and Milk Products Code.

Shell egg producers regulated under the Egg and Egg Products Act.

Any food establishment defined in the Food Code that sells food products directly to consumers unless engaged in activities subject to 21 CFR Part 120 or 21 CFR Part 123. The term consumers does not include businesses.

"Food Storage Facility" or "Warehouse" means any premises, establishment, building, room area, facility or place, in whole or in part, where food is stored, kept or held, for wholesale distribution to other wholesalers or to retail outlets, restaurants, and any other facility selling or distributing to the ultimate consumer. Food storage facility includes, but is not limited to, a facility where food is held refrigerated or frozen and includes facilities where food is stored to the account of another firm or is owned by the food storage warehouse. Food storage facility does not include a grain elevator or produce farm that stores, packs, and ships and

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does not process fresh fruit and vegetables even though it may use refrigerated or controlled atmosphere storage practices in its operation.

"Holding" or "Holds" or "Held" means the action of storing food prior to distribution.

"Plant" means the building or buildings or parts thereof used for, or in connection with, the manufacturing, processing, packaging, labeling or holding of human food.

"Repackaging" means breaking down large bulk quantities of food into smaller packages. Repackaging may include repackaging products into different sizes or formats.

"Routine Inspection" means an inspection conducted by the Department to determine compliance with the Act and this Part.

"Sanitize" means adequate treatment of surfaces by a process that is effective in destroying vegetative cells of pathogenic bacteria and in substantially reducing other micro-organisms. This treatment shall not adversely affect the product and shall be safe for the consumer.

"Shared Kitchen" or "Commissary Kitchen" or "Rental Kitchen" means a permitted food processing plant or food storage facility that allows additional operations by owning or leasing space. Food processing plants or food storage facilities operating in shared kitchens shall obtain separate permits from the permit issued to the shared kitchen.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 730.1005 Incorporated and Referenced Materials

- a) The following federal guidelines and regulations are incorporated by reference:
- 1) 21 CFR 123: Fish and Fishery Products (April 1, ~~2012~~2024);
<https://www.govinfo.gov/content/pkg/CFR-2024-title21-vol2/pdf/CFR-2024-title21-vol2-part123.pdf>, ~~<https://www.gpo.gov/fdsys/pkg/CFR-2012-title21-vol2/pdf/CFR-2012-title21-vol2-part123.pdf>~~.

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- 2) 21 CFR 120: Hazard Analysis and Critical Control Point (HACCP) Systems (April 1, ~~2024~~~~2012~~); <https://www.govinfo.gov/content/pkg/CFR-2024-title21-vol2/pdf/CFR-2024-title21-vol2-part120.pdf>.
~~<https://www.gpo.gov/fdsys/granule/CFR-2012-title21-vol2/CFR-2012-title21-vol2-part120>~~.
- 3) 21 CFR 146: Canned Fruit Juices (April 1, ~~2024~~~~2011~~); <https://www.govinfo.gov/content/pkg/CFR-2024-title21-vol2/pdf/CFR-2024-title21-vol2-part146.pdf>.
~~<https://www.gpo.gov/fdsys/granule/CFR-2011-title21-vol2/CFR-2011-title21-vol2-part146>~~.
- 4) 21 CFR 163: Cacao Products (April ~~14~~, ~~2024~~~~2011~~); <https://www.govinfo.gov/content/pkg/CFR-2024-title21-vol2/pdf/CFR-2024-title21-vol2-part163.pdf>.
~~<https://www.gpo.gov/fdsys/pkg/CFR-2011-title21-vol2/pdf/CFR-2011-title21-vol2-part163.pdf>~~.
- 5) 21 CFR 114: Acidified Food (April 1, 2024); <https://www.govinfo.gov/content/pkg/CFR-2024-title21-vol2/pdf/CFR-2024-title21-vol2-part114.pdf>.
- ~~6~~5) Guide for the Control of Molluscan Shellfish ~~2023~~~~2013~~ Revision. [U.S. Department of Health and Human Services, Public Health Service, Food and Drug Administration/Interstate Shellfish sanitation Conference](https://www.fda.gov/downloads/Food/GuidanceRegulation/FederalStateFoodPrograms/UCM415522.pdf)~~U.S. Food and Drug Administration, Office of Food Safety, Division of Food Safety, HFS-325, 5100 Paint Branch Parkway, College Park MD 20740-3835;~~
~~<http://www.fda.gov/downloads/Food/GuidanceRegulation/FederalStateFoodPrograms/UCM415522.pdf>~~.
- ~~7~~6) 21 CFR 117: Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventative Controls for Human Food (September 17, 2015); <https://www.govinfo.gov/content/pkg/CFR-2024-title21-vol2/pdf/CFR-2024-title21-vol2-part117.pdf>.
~~<http://www.gpo.gov/fdsys/pkg/FR-2015-09-17/pdf/2015-21920.pdf>~~.
- 8) 21 CFR Part 1, Subpart O: Sanitary Transportation of Human and Animal Food; <https://www.govinfo.gov/content/pkg/CFR-2024-title21-vol1/pdf/CFR-2024-title21-vol1-part1-subpartO.pdf>.

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- 9) [21 U.S.C. 350i: Protection against intentional adulteration;](https://www.govinfo.gov/content/pkg/USCODE-2023-title21/pdf/USCODE-2023-title21-chap9-subchapIV-sec350i.pdf)
[https://www.govinfo.gov/content/pkg/USCODE-2023-title21/pdf/USCODE-2023-title21-chap9-subchapIV-sec350i.pdf.](https://www.govinfo.gov/content/pkg/USCODE-2023-title21/pdf/USCODE-2023-title21-chap9-subchapIV-sec350i.pdf)
- 10) [21 CFR 101: Food Labeling \(April 1, 2024\);](https://www.govinfo.gov/content/pkg/CFR-2024-title21-vol2/pdf/CFR-2024-title21-vol2-part101.pdf)
[https://www.govinfo.gov/content/pkg/CFR-2024-title21-vol2/pdf/CFR-2024-title21-vol2-part101.pdf.](https://www.govinfo.gov/content/pkg/CFR-2024-title21-vol2/pdf/CFR-2024-title21-vol2-part101.pdf)
- 11) [21 CFR 108.25: Acidified foods \(April 1, 2024\);](https://www.govinfo.gov/content/pkg/CFR-2024-title21-vol2/pdf/CFR-2024-title21-vol2-part108.pdf)
[https://www.govinfo.gov/content/pkg/CFR-2024-title21-vol2/pdf/CFR-2024-title21-vol2-part108.pdf.](https://www.govinfo.gov/content/pkg/CFR-2024-title21-vol2/pdf/CFR-2024-title21-vol2-part108.pdf)
- b) All incorporations by reference of federal guidelines and regulations refer to the materials on the date specified and do not include any amendments or editions subsequent to the date specified.
- c) [The following State statute is referenced in this Part:](#)

[Illinois Food, Drug and Cosmetic Act \[410 ILCS 620\]](#)
- d) [The following State administrative rules are referenced in this Part:](#)
- 1) [Egg and Egg Products Act \(8 Ill. Adm. Code 65\)](#)
- 2) [Food Code \(77 Ill. Adm. Code 750\)](#)
- 3) [Grade A Pasteurized Milk and Milk Products \(77 Ill. Adm. Code 775\)](#)

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 730.1006 Compliance with National Standards

No person shall engage in the wholesale handling of shellfish, or operate or conduct an establishment for shipping, post-harvest processing, shucking, repacking or wet storage of shellfish, except in compliance with the requirements of the Guide for the Control of Molluscan Shellfish ~~2013~~ [2023](#) Revision.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

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**Section 730.1010 Compliance with Current Good Manufacturing Practice~~Adequate~~
(Repealed)**

The federal guidelines and regulations incorporated by reference in Section 730.1005 and the criteria in Subparts C through H shall apply in determining whether the facilities, methods, practices, and controls used in the manufacture, processing, packing, or holding of food are in conformance with or are operated or administered in conformity with good manufacturing practices to assure that food for human consumption is safe and has been prepared, packed, and held under sanitary conditions.

(Source: Repealed at 40 Ill. Reg. 9201, effective June 21, 2016; new Section added at 49 Ill. Reg. _____, effective _____)

SUBPART B: CURRENT GOOD MANUFACTURING PRACTICE (SANITATION)

Section 730.2010 General Permit Requirements~~Scope~~

- a) No person shall establish, maintain, conduct, or operate a food processing plant or food storage facility without first obtaining a permit and having an inspection from the Department.
- b) Permit holders shall notify the Department within 30 days of any name changes to the business.
- c) If the physical location of a food processing plant or food storage facility changes during a calendar year, the permit holder shall notify the Department within 30 days of the change. A physical location change is subject to a subsequent inspection fee for the new location.
- d) Permits are not transferable between owners. If the owner of a food processing plant or food storage facility changes, the new owner shall submit an initial application and applicable fees in accordance with Section 730.Table A before the Department will issue the applicable permit.
- e) Fees shall be assessed in accordance with Section 730.Table A.
- f) All permits shall expire on December 31 of the year issued, except that an initial permit issued after October 1 and before December 31 shall expire on December

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31 of the following year. Food processing plants and food storage facilities shall submit the renewal application and remit payment to the Department electronically or postmarked by December 1.

- g) All food processing plants and food storage facilities inspected by the Department as of July 1, 2026 will not be subject to an initial application fee.
- h) All food processing plants and food storage facilities inspected by the Department as of July 1, 2026 shall apply and remit payment for a renewal permit no later than December 31, 2027 and annually thereafter.
- i) The Department may deny, suspend, or revoke a permit if a permitted facility fails to make corrective actions upon inspection findings.

~~The criteria in Subparts C through H shall apply in determining whether the facilities, methods, practices, and controls used in the manufacture, processing, packing, or holding of food are in conformance with or are operated or administered in conformity with good manufacturing practices to assure that food for human consumption is safe and has been prepared, packed, and held under sanitary conditions.~~

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 730.2020 Permit Application, Renewal, and Fees

- a) Applications shall be made in a manner prescribed by the Department, and shall be accompanied by any applicable fees in accordance with Section 730. Table A. All permit fees shall be nonrefundable and shall reflect any change in the information since the initial or original registration or permit was issued or the latest renewal granted.
- b) Initial Permit. Applications for an initial permit shall be made in a manner prescribed by the Department. Initial applications shall include an initial application fee, annual permit fee, and applicable fees for special products. The Department shall be notified of intent to operate at least 45 days prior to the beginning of operations.
- c) Renewal of Permit. Applications and fees for renewal of a permit shall be made on forms furnished by the Department. Renewal applications shall include appropriate annual permit fee and applicable fees for special products. Renewal

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applications shall contain any change in the information since the original permit was issued or the latest renewal granted. Renewal applications received by the Department that are postmarked after December 1 up to and including December 31 shall be accompanied by the required late filing fee as prescribed in Section 730. Table A. Renewals will not be granted 90 days past the expiration date. Applicants will have to complete an initial permit application and applicable fees.

d) Additional Food Processing Fees.

1) Any food processing plants engaging in the following activities subject to 21 CFR Part 120, 21 CFR Part 114, 21 CFR Part 123, or the Guide for Control of Molluscan Shellfish 2023 Revision shall annually pay applicable special products fees in Section 730. Table A in addition to the annual permit fee:

2) Any storage food facility storing products subject to the Guide for Control of Molluscan Shellfish or 21 CFR Part 123 shall annually pay a special product fee in addition to the annual permit fee in Section 730. Table A.

e) Follow up or reinspection Fee. The fee for follow up inspections or reinspection shall be a fixed fee as set forth in Section 730. Table A.

(Source: Added at 49 Ill. Reg. _____, effective _____)

SUBPART C: PLANT AND GROUNDS

Section 730.3005 Prohibitions

A food processing plant or food storage facility may not be located within a private residence.

(Source: Added at 49 Ill. Reg. _____, effective _____)

SUBPART I: EXCLUSIONS

Section 730.9010 Operations Excluded

The following operations are excluded from coverage under these general regulations, however, the Director will issue special regulations when he believes it necessary to cover these excluded operations: Establishments engaged solely in the harvesting, storage, or distribution of one or

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more raw agricultural commodities, as defined in Section 201(r) of the Federal Act, 21 U.S.C. 321r, and Section [620/2.18](#)~~502.18~~ of the Illinois Food, Drug and Cosmetic Act, ~~Ill. Rev. Stat., 1983, ch. 56½, par. 502.18~~, which are ordinarily cleaned, prepared, treated or otherwise processed before being marketed to the consuming public.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

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Section 730.TABLE A Fee Schedule

	<u>Food Processing Plant</u>	<u>Food Storage Facility/Repacker</u>	<u>Shared Kitchen User</u>
<u>Application fee (one time only)</u>	<u>\$250.00</u>	<u>\$250.00</u>	<u>\$150.00</u>
<u>Annual fee</u>	<u>\$700.00</u>	<u>\$400.00</u>	<u>\$400.00</u>
<u>Late renewal fee</u>	<u>\$150.00</u>	<u>\$150.00</u>	<u>\$150.00</u>
<u>Follow-up or reinspection fee</u>	<u>\$200.00 (for each subsequent reinspection required)</u>	<u>\$200.00 (for each subsequent reinspection required)</u>	<u>\$200.00 (for each subsequent reinspection required)</u>
<u>Additional annual fee for molluscan shellfish firms</u>	<u>\$700.00</u>	<u>\$700.00</u>	<u>\$700.00</u>
<u>Additional annual fee for firms engaged in juice, seafood, or acidified products</u>	<u>\$350.00</u>	<u>\$350.00 (seafood only) Additional fee is not required if annual fee for shellfish sanitation is applicable.</u>	<u>\$350.00</u>

(Source: Added at 49 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Community Health Worker Certification Program
- 2) Code Citation: 77 Ill. Adm. Code 951
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
951.10	New Section
951.20	New Section
951.100	New Section
951.200	New Section
951.210	New Section
951.220	New Section
951.230	New Section
951.240	New Section
951.250	New Section
951.260	New Section
951.270	New Section
951.280	New Section
951.290	New Section
951.300	New Section
951.305	New Section
951.310	New Section
951.315	New Section
951.320	New Section
951.325	New Section
951.330	New Section
951.335	New Section
951.340	New Section
951.345	New Section
951.350	New Section
951.355	New Section
951.360	New Section
951.400	New Section
951.500	New Section
951.510	New Section
951.520	New Section
951.600	New Section
951.610	New Section

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- 4) Statutory Authority: Implementing and authorized by the Community Health Worker Certification and Reimbursement Act [410 ILCS 67].
- 5) A Complete Description of the Subjects and Issues Involved: This new Part will implement the Community Health Worker Certification and Reimbursement Act [410 ILCS 67]. The New Part will include but is not limited to establishing definitions. The New Part will also set out explanations, processes, and requirements regarding the community health worker (CHW) program application, certification and renewal; field experience supervision and standards of practice; training program application and approval; training program curricula and instructor requirements; and training program monitoring.

The economic effect of this proposed rulemaking is unknown. Therefore, the Department will consider any information that would assist in calculating this effect.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None

CHW Certification Practices from Other States (2024) available at https://issuu.com/universityofillinoiscancercenter/docs/chw_certification_best_practices_from_other_states;

CHW Common Indicator and Training Experiences Survey (January 2025) available at https://issuu.com/universityofillinoiscancercenter/docs/il_chw_ci_training_survey_report_01.24.2025_final; and

University of Illinois Cancer Center, "Environmental Scan of Community Health Worker Training Assets (ENACT) in Illinois: Summary of results for the State of Illinois September 2023-June 2024" (2024) available at https://issuu.com/universityofillinoiscancercenter/docs/enact_environmental_scan_of_il_chw_training_assets

The Department collaborated with an agency in another state and a national organization to develop the CHW Certification Program. Select core competencies were adapted with permission and incorporated into the rulemaking. References resulting from the collaboration were also incorporated into Part 951.

The National Council on CHW Core Consensus Standards, "C3 Council Findings: Roles & Competencies" (2024) available at <https://www.c3council.org/roles-competencies>; and

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Board of Certification of Community Health Workers, Massachusetts Department of Public Health, "Core Competencies for Community Health Workers" (May 13, 2014) available at <https://www.mass.gov/info-details/core-competencies-for-community-health-workers>

- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? Yes
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking is not expected to create a State mandate.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their written comments concerning this rulemaking within 45 days after this issue of the *Illinois Register*. Written comments suggesting amendments to the rulemaking must provide the reason for the suggested amendment. An edited version of the rulemaking is acceptable if submitted with the written comments and supporting reasons. Send written comments to:

Department of Public Health
Attention: Tracey Trigillo, Rules Coordinator
Lincoln Plaza
524 South 2nd Street, 6th Floor
Springfield, IL 62701

(217) 782-1159
dph.rules@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not for profit corporations affected: Medicaid enrolled employers of certified CHWs, CHW Training Program Sponsors and other Partners

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- B) Reporting, bookkeeping or other procedures required for compliance:
Applications for certification and renewal, record keeping, and reporting
- C) Types of professional skills necessary for compliance: CHW Training Program Sponsors and their instructors are required to have an IL CHW-C credential, an associate or bachelor's degree in health or human services, requisite college-level coursework in a health or human services field, or master's degree or higher with requisite graduate credits in a health or human services field.

Most of the businesses that are affected by the Department's rules fall under the definition of small businesses, small municipalities, and not for profit corporations. The Department's policy is to adopt only minimum standards and thus not cause undue hardship on these small businesses, small municipalities, and not for profit corporations. The proposed rules were written with small businesses, small municipalities, and not for profit corporations in mind and the requirements are the bare minimum requirements needed to assure the public health, safety, and welfare of the citizens of the State of Illinois.

14) Small Business Impact Analysis:

- A) Types of businesses subject to the proposed rule:
 - 61 Educational Services;
 - 62 Health Care and Social Assistance.
- B) Categories that the agency reasonably believes the rulemaking will impact including:
 - i. hiring and additional staffing;
 - ii. regulatory requirements;
 - vii. training requirements;
 - viii. record keeping.

15) Regulatory Agenda on which this rulemaking was summarized: July 2025

The full text of the Proposed Rules begins on the next page:

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TITLE 77: PUBLIC HEALTH

CHAPTER I: DEPARTMENT OF PUBLIC HEALTH

SUBCHAPTER u: MISCELLANEOUS PROGRAMS AND SERVICES

PART 951

COMMUNITY HEALTH WORKER CERTIFICATION PROGRAM

SUBPART A: GENERAL PROVISIONS

Section

951.10

Definitions

951.20

Incorporated and Referenced Materials

SUBPART B: CHW REVIEW BOARD

Section

951.100

CHW Review Board

SUBPART C: CHW CERTIFICATION

Section

951.200

Pathways to CHW Certification and Requirements

951.210

Initial CHW Application

951.220

Initial CHW Application Review for Approval or Denial

951.230

Continuing Education Requirements

951.240

Renewal of CHW Certificate

951.250

Reinstatement of a CHW Certificate

951.260

Disciplinary Actions Against CHW Applicants and Certified CHWs

951.270

Notice of Denial or Revocation of Certification

951.280

Administrative Hearings

951.290

No Fees for CHW Applications

SUBPART D: CHW TRAINING PROGRAM CERTIFICATION

Section

951.300

CHW Training Program Sponsors and Other Training Partners

951.305

CHW Training Program Administrator

951.310

CHW Training Program Lead

951.315

Initial CHW Training Program Application

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951.320	Initial CHW Training Program Application Review for Approval or Denial
951.325	Changes to CHW Training Programs
951.330	Review and Renewal of a CHW Training Program
951.335	Minimum Hours of Instruction
951.340	Field Experience
951.345	CHW Training Program Notification Requirements
951.350	Inactive Status for a CHW Training Program
951.355	Probation or Suspension of a CHW Training Program Certification
951.360	No Fees for CHW Training Program Application

SUBPART E: CHW CERTIFICATION PROGRAM REGISTRIES

Section	
951.400	CHW Certification Program Registries

SUBPART F: CHW TRAINING PROGRAM CURRICULA AND
INSTRUCTOR REQUIREMENTS

Section	
951.500	Curricular Standards
951.510	Core Competencies for CHW Training Programs
951.520	Instructor Qualifications for CHW Training Programs

SUBPART G: CHW CONTINUING EDUCATION

Section	
951.600	Categories of Continuing Education
951.610	Information on Continuing Education Available to CHWs

AUTHORITY: Implementing and authorized by the Community Health Worker Certification and Reimbursement Act [410 ILCS 67].

SOURCE: Adopted at 49 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 951.10 Definitions

"Act" means the Community Health Worker Certification and Reimbursement Act [410 ILCS 67].

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"Business Days" means any day when the Department's offices are open.

"CHW Applicants" means individuals applying for community health worker certification, renewal, or reinstatement of certification.

"Certified Community Health Worker" means an individual who satisfies the definition of community health worker and holds a voluntary credential issued by the Illinois Department of Public Health.

"Community health worker" or "CHW" means a frontline public health worker who is a trusted member or has an unusually close understanding of the community served. This trusting relationship enables the community health worker to serve as a liaison, link, and intermediary between health and social services and the community to facilitate access to services and improve the quality and cultural competence of service delivery. A community health worker also builds individual and community capacity by increasing health knowledge and self-sufficiency through a range of activities, including outreach, community education, informal counseling, social support, and advocacy. Nothing in this definition shall be construed to authorize a community health worker to provide direct care or treatment to any person or to perform any act or service for which a license issued by a professional licensing board is required. (Section 5-5 of the Act)

"CHW Certification Program" means a Department-established CHW education and training core curriculum that if successfully completed leads to CHW and CHW Training Program certifications. The CHW Certification Program will provide for CHW certification and professional development through Department-approved training programs. The CHW Certification Program will allow the Department of Healthcare and Family Services to pursue reimbursement for services provided by certified CHWs through the Medicaid program.

"CHW Certification Program Registries" means Department-maintained searchable databases available to the public to validate the certification status of an individual CHW or a CHW Training Program.

"CHW Review Board" or "Community Health Workers Review Board" means a Board established to advise the Department of Public Health as it seeks to

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develop an Illinois CHW Certification Program as well as to advise the Department on the administration of the CHW Certification Program.

"CHW Reciprocity Pathway" means a Department-approved pathway that allows individuals who have met CHW certification requirements in another state of the United States to be considered by the Department to be equivalent to the Department's CHW Certification Program requirements.

"CHW Refresher Course" means an on-line, self-paced, Department-approved training that addresses required core competencies.

"CHW Training Program" means a Department-certified community health worker educational and training program unless otherwise specified.

"CHW Training Program Administrator" means an individual hired by a CHW Training Program Sponsor who is accountable and has the authority to ensure that the CHW Training Program is designed and implemented in a manner consistent with Section 951.305. This individual can also serve as CHW Training Program Lead.

"CHW Training Program Lead" means an individual hired by a CHW Training Program Sponsor who is responsible for carrying out the tasks set forth in Section 951.310. This individual can also serve as CHW Training Program Administrator.

"CHW Training Program Equivalence Pathway" means a pathway that allows for certification of individuals who successfully complete the equivalent of a Department-certified academic or community-based training program.

"CHW Training Program Pathway" means a Department-certified pathway that allows for certification of individuals who successfully complete a CHW Training Program or a CHW Training Program in association with an apprenticeship.

"CHW Training Program Sponsor" means an entity that offers and provides a CHW Training Program to community health worker students consistent with Section 951.300.

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"Continuing Education" or "CE" means a planned learning activity that builds upon a community health worker's precertification education program and enables a community health worker to acquire or improve skills, knowledge or behavior that promotes professional or technical development or the enhancement of career goals and meets standards set by the Department.

"Core Competencies" means a combination of skills, knowledge, and behaviors that are essential for success in a field. The CHW Core Competencies are outlined in the Community Health Worker Certification and Reimbursement Act, The National Council on CHW Core Consensus Standards, and "Core Competencies for Community Health Workers". The CHW Core Competencies are developed in Section 951.510.

"Curriculum" means the course of study, consistent with standard minimum Department-approved competencies, to be used in a CHW Training Program.

"Day" means a calendar day, unless otherwise specified.

"Default" or "Default Judgement" means a written order entered after due process requirements of adequate notice and opportunity for hearing have been provided and the respondent fails to appear, defend, or answer; or a written order entered as an ultimate sanction for improper conduct. This order is considered a final order.

"Department" or "IDPH" means the Illinois Department of Public Health.

"Director" means the Director or the designee of the Director of the Department of Public Health.

"Electronic mail" means a communication by electronic means which is automatically retained and stored and can be readily accessed or retrieved.

"Field experience" means a task or activity planned to meet course objectives or outcomes and to provide community health worker students with the opportunity to practice cognitive, psychomotor, and affective skills related to community health worker service provision. This experience shall take place in a clinical, community, or other appropriate setting.

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"IL CHW-C" means the credential granted to a community health worker by the State of Illinois upon certification. The individual can only use this credential when they are actively certified.

"Illinois Administrative Procedure Act" or "IAPA" means the law relied upon by the State agencies to develop and enforce State regulations. The IAPA is intended to ensure accountability, public participation, and transparency in the rulemaking process.

"Improvement Plan" means a document required by the Department in the instance of CHW Training Program non-compliance with the CHW Certification Program requirements or related issues. Developed by the CHW Training Program Sponsor, the plan will indicate goals and strategies to address gaps and related issues in meeting requirements of a CHW Training Program.

"Lapsed Certification" means the status of a certification of an individual or CHW Training Program that did not meet the requirements of certification renewal.

"License" has the meaning as ascribed to it in Section 1-35 of the IAPA.

"Licensing" has the meaning as ascribed to it in Section 1-60 of the IAPA.

"Person" has the meaning as ascribed to it in Section 1-60 of the IAPA.

"Probation or Probationary Status" means a CHW Training Program that is found by the Department to be out of compliance with CHW Training Program requirements and must submit an improvement plan and notify students or prospective students of this status.

"Renewal of Certification" means a process by which a CHW or a CHW Training Program is recognized by the Department in writing as meeting criteria for continuation for another 3 years of holding a certificate.

"Reinstatement of Lapsed Certification" means a process by which an ILCHW-C or a CHW Training Program is recognized by the Department in writing as meeting criteria for reinitiating certification after a lapse in certification.

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"Training Modality" means an approach to training that includes, but is not be limited to, in-person, virtual, and hybrid training.

"Work Experience Pathway" means a pathway to certification whereby CHWs practicing prior to the CHW Certification Program are grandfathered into certification.

Section 951.20 Incorporated and Referenced Materials

- a) State of Illinois Statutes
 - 1) Illinois Administrative Procedure Act [5 ILCS 100/10-50]
 - 2) Dual Credit Quality Act [110 ILCS 27]
 - 3) Community Health Worker Certification and Reimbursement Act [410 ILCS 67]
- b) State of Illinois Administrative Rules
 - 1) Educator Licensure (23 Ill. Adm. Code 25)
 - 2) Program Review (Private Colleges and Universities) (23 Ill. Adm. Code 1030)
 - 3) Administration of the Illinois Public Community College Act (23 Ill. Adm. Code 1501)
 - 4) Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100)
- c) The following regulations and standards are incorporated in this Part:
 - 1) The National Council on CHW Core Consensus Standards, "C3 Council Findings: Roles & Competencies" (2024) available at <https://www.c3council.org/roles-competencies>
 - 2) Board of Certification of Community Health Workers, Massachusetts Department of Public Health, "Core Competencies for Community Health

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Workers" (May 13, 2014) available at <https://www.mass.gov/info-details/core-competencies-for-community-health-workers>

- 3) National Association of Community Health Centers, "Code of Ethics for Community Health Workers" (September 2023) available at https://www.nachc.org/wp-content/uploads/2023/09/CHW_CodeofEthics.pdf
- d) All incorporations by reference of the standards of nationally recognized organizations refer to the regulations and standards on the date specified and do not include any amendments or editions after the date specified.

SUBPART B: CHW REVIEW BOARD

Section 951.100 CHW Review Board

- a) *A Community Health Workers Review Board shall be established to advise the Department of Public Health as it seeks to develop an Illinois Community Health Worker Certification Program. The scope includes rules certifying both individuals, including those being grandfathered in, and academic and community-based training programs.*
- b) *The Board shall recommend standards, review proposed regulations, and provide feedback about training programs and reimbursement schedules.*
- c) *The Board shall submit an annual report to the Office of the Governor and the General Assembly about the progress of the Program.*
- d) *The Board shall be co-chaired by a representative of the Department of Public Health and a representative from a statewide association of community health workers. Other members of the Board shall include:*
 - 1) *The Director of Public Health or his or her designee;*
 - 2) *The Director of Healthcare and Family Services or his or her designee;*
 - 3) *The Secretary of Human Services or his or her designee;*

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- 4) *The Secretary of Financial and Professional Regulation or his or her designee;*
 - 5) *A member from the Governor's Office appointed by the Governor;*
 - 6) *3 members appointed by the Senate President;*
 - 7) *A member appointed by the Senate Minority Leader;*
 - 8) *3 members appointed by the Speaker of the House of Representatives;*
 - 9) *A member appointed by the Minority Leaders of the House of Representatives;*
 - 10) *A member from a statewide association of community health workers appointed by the Speaker of the House of Representatives;*
 - 11) *A member from a statewide association of community health workers appointed by the Senate President; and*
- e) *As appointed by the Director of Public Health, in addition to the members specified in this subsection, the Board shall have balanced representation from the community health worker workforce, community health worker employers, community health worker training and educational institutions, and community members who are recipients of services.*
- f) *The Board shall meet quarterly and can do so either in person or remotely.*
- g) *The Department of Public Health shall provide administrative support.*
- h) *The first annual report of the Board shall be submitted to the Governor and the General Assembly 1 year after the Board's first meeting. A report shall be submitted to the Governor and the General Assembly every year thereafter for each year the Board remains active. (Section 5-17(a) of the Act)*

SUBPART C: CHW CERTIFICATION

Section 951.200 Pathways to CHW Certification and Requirements

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- a) **Work Experience Pathway.** This pathway allows for individuals with verifiable experience as a CHW prior to the formal start date of the CHW Certification Program to be grandfathered into certification. In other words, the requirement of completing a CHW Training Program and the requirement of a high school diploma/GED is waived. The work experience pathway shall expire 10 years after the formal start date of the CHW Certification Program. To apply for certification via the work experience pathway, the individual must include the following:
- 1) Document a minimum of 2,500 hours of paid employment and volunteer experience as a CHW within the 5 years prior to submitting an application. The candidate shall count the number of CHW core competency training hours completed and field experience hours within the prior 5 years toward the required minimum 2,500 hours;
 - 2) Complete an on-line, self-paced, Department-approved CHW Refresher Course which addresses all required core competencies. This course will be accredited, and for the work experience pathway only, will count for 20 Category 1 continuing education credits toward the first renewal period as described in (Section 951.240.); and
 - 3) Obtain at least 1 professional letter from a manager, instructor, or field supervisor, on a Department-approved form, that attests the individual satisfactorily applied at least 80 percent of the core competency areas (with complementary competencies combined) set out in Section 951.510(b) within the last 5 years and recommends them for certification. The applicant can submit more than 1 professional letter from a manager, instructor, or field supervisor, on a Department-approved form, with the letters combined that attest to the individual satisfactorily applying a total of at least 80 percent of the core competency areas defined in Section 951.510(b) within the last 5 years and recommends them for CHW certification.
- b) **CHW Training Program Pathway.** This pathway allows for certification of individuals who successfully complete a CHW Training Program or a CHW Training Program in association with an apprenticeship. To apply for certification via the CHW Training Program Pathway, the individual must:
- 1) Successfully complete a CHW Training Program within 5 years prior to application submission.

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- A) This includes individuals engaged in or having completed a CHW Training Program in association with an apprenticeship.
 - B) CHW Training Programs shall make reasonable accommodations for assessments for students with disabilities as required by the Americans with Disabilities Act. This will include, for example, extended time for quizzes or exams.
- 2) Obtain at least 1 professional letter from a manager, instructor or field supervisor recommending the individual for CHW certification.
- c) CHW Training Program Equivalence Pathway. This pathway allows for certification of individuals who have successfully completed the equivalent of a Department-certified academic or community-based training program as described in subsection (a), not earlier than January 1, 2022.
- 1) The CHW Training Program Equivalence Pathway shall expire 2 years after the formal start date of the CHW Certification Program. The individual shall submit an application using the CHW Training Program Equivalence Pathway via the on-line portal by 11:59 p.m. of the expiration date for it to be considered.
- 2) To be eligible for certification via the CHW Training Program Equivalence Pathway:
- A) Must have successfully completed a CHW core competency training that the Department deems at least 80 percent equivalent prior to the start of the certification program and not earlier than January 1, 2022. The program must have included at least 80 percent of the core competencies in their curriculum, included at least 80 classroom instruction hours, and the student must have completed at least 80 hours of mentored field or work experience.
 - B) Must complete complementary training requested by the Department that fills gaps in required competencies and classroom hours. Gaps will be filled using the Department-approved CHW Refresher Course, selected modules from this course, or another approved accredited course.

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- C) Obtain at least 1 professional letter from a manager, instructor, or field supervisor recommending the individual for CHW certification.
- d) CHW Reciprocity Pathway. This pathway allows for certification of individuals who have met CHW certification requirements in another state in the United States that the Department considers to be equivalent to the Department's CHW Certification Program requirements.
 - 1) To apply for certification via the CHW Reciprocity Pathway, the individual must demonstrate that they hold a current, valid CHW certification from another state in the United States.
 - 2) The Department will compare the other state's certification program requirements with the Department's CHW Certification Program requirements to determine equivalence.

Section 951.210 Initial CHW Application

- a) To be eligible to obtain a certificate to practice as a certified CHW, an applicant shall, at the time of application, meet the following requirements:
 - 1) Live or work in the State of Illinois, or work for an organization enrolled in Illinois Medicaid or Medicare;
 - 2) Be at least 17 years of age; and
 - 3) Hold a high school diploma or GED.
- b) An applicant shall submit a completed "Community Health Worker Certification Application" on the Department's website to include the following:
 - 1) Full name, mailing address, electronic mail address, telephone number, date of birth, language skills, preference for correspondence (English or Spanish); and
 - 2) Education: highest level of education completed.

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- c) Applications will have different requirements based on the CHW certification pathway.
 - 1) For the Work Experience Pathway, the application must include the following:
 - A) Start and end dates of each relevant work experience, name and address of organization, total number of hours of service at the organization, job roles and responsibilities; and name of manager or designee who can verify work experience, including their job title and contact information;
 - B) Acceptable documents to verify employment or volunteerism from an organization. Documentation can include a professional reference from the organization such as a letter from a supervisor or human resources verifying the number of hours of employment or volunteerism. For organizations that no longer exist, a candidate can indicate the date the organization closed and submit an employment contract, notification of direct deposit, or old pay stubs, tax forms including W-2, unemployment claim after the job ended, or other verification sources deemed valid by the Department;
 - C) Confirmation that the applicant completed the Department-approved CHW Refresher Course; and
 - D) At least 1 professional letter of recommendation from a manager, instructor, or field supervisor that attests to the individual satisfactorily applying a total of at least 80 percent of the core competencies set out in Section 951.510(b) and recommends them for certification.
 - 2) For the CHW Training Program Pathway, the application must include the following:
 - A) Acceptable documents to verify completion of the training program such as training program certificate, course transcripts, or a letter validating successful completion by the training

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sponsor/instructor including the date the training program was completed; and

- B) At least 1 professional letter from a manager, instructor or field supervisor that recommends them for certification.
- 3) For the CHW Training Program Equivalence Pathway, the application must be accompanied by:
- A) Acceptable documents to verify completion of the training program such as training program certificate, course transcripts, or a letter validating successful completion by the training sponsor/instructor including the date the training program was completed; and
 - B) At least 1 professional letter from a manager, instructor or field supervisor that recommends them for certification. If a supervised work experience (of no fewer than 80 hours) was completed in lieu of a training program field experience, this will need to be verified by the employer.
- 4) For the CHW Reciprocity Pathway, the application must be accompanied by a current, valid CHW certificate from another state in the United States. The training program must be deemed by the Department to be equivalent to Illinois standards.
- d) Applicants shall also provide information regarding other certifications or licenses as follows:
- 1) List of other certifications or licenses;
 - 2) Denial of certification or licenses;
 - 3) Disciplinary action related to certification or license; and
 - 4) Surrender or resign any certification or license.
- e) Applicants shall disclose any felony convictions and consent to a criminal background check.

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- f) Applicants shall provide the following:
 - 1) Permission for release of information from former employers, training programs, and the Illinois State Police or other law enforcement agency to determine eligibility for certification;
 - 2) Attestation to comply with laws and regulations governing certified CHWs in Illinois;
 - 3) Attestation to comply with the Department's adopted Code of Ethics for Certified Community Health Workers;
 - 4) Signed affidavit indicating that all information in the application is true and complete, and the applicant will advise the Department of change in any contact information within 30 days of a change; or
- g) If the application is incomplete, the Department will hold the application open for no longer than 1 year, at which point the application will be closed and a new complete application will need to be submitted.

Section 951.220 Initial CHW Application Review for Approval or Denial

- a) The Department will evaluate the application for conformance with CHW Certification Program requirements. Based on Department review of complete application:
 - 1) For applicants who do not disclose a felony conviction, the Department will approve or deny certification of a complete initial CHW application within 60 days; or
 - 2) For applicants who disclose a felony conviction, the Department will provisionally approve or deny certification of a complete initial CHW application within 60 days pending review of background check results. Determination of approval or denial will be made after review of criminal background check results.
- b) Approval of Initial Application

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- 1) When the Department finds that a CHW application, along with any additional materials and revisions have been submitted, complies with CHW Certification Program requirements, the Department shall issue a state certificate to practice as a certified CHW.
 - 2) Once approved, the CHW can use the credential IL CHW-C after their name to indicate they are currently certified by the State of Illinois as a community health worker.
 - 3) The Department will issue an identification number to each certified CHW. The CHW shall reference that number in any correspondence with the Department about the CHW Certification Program.
 - 4) The CHW certification shall be considered current for 3 years from the date of issuance.
- c) Denial of Initial Application.
- 1) For applicants who do not satisfy certification requirements, the Department will notify the applicant of intent to deny certification in writing through electronic mail. The notice to the applicant will state the reasons for the denial and the right of the individual to resubmit an application after requirements are met.
 - 2) After notification of intent to deny, if a resubmitted application still does not meet all requirements, the Department will notify the applicant of intent to deny certification in writing through certified mail, return receipt requested, to the last address provided by the applicant or by electronic mail to the last electronic mail address provided by the applicant. The notice to the applicant will state the reasons for the denial and the right of the individual to request a hearing within 15 days of the certified or electronic mail by the Department. Considerations and hearing procedures will be conducted in accordance with Sections 951.270 and 951.280.

Section 951.230 Continuing Education Requirements

- a) To qualify as continuing education, the course or activity must meet the requirements in Section 951.600. To be eligible to renew a certificate, a certified CHW shall complete 36 hours of continuing education during each 3-year

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renewal period that must be submitted no earlier than 180 days and at least 90 days prior to certification expiration to ensure certification does not lapse. These hours must be earned in the following categories:

- 1) Category I – Accredited Continuing Education Courses and academic courses
All credits and no fewer than 24 in the 3-year renewal period can be taken in this category. These courses must be directly related to 1 or more CHW core competencies; and
 - 2) Category II – Other Professional Development
Credit in the category is optional; however, up to 12 credits in the 3-year renewal period can be earned in this category. These courses and activities must be directly related to 1 or more CHW core competencies.
- b) Continuing education courses and activities are counted as follows:
- 1) Category I Credit:
 - A) Each accredited continuing education course is awarded a specific number of hours by the accrediting body. This is the number of credits the Department will count for each course.
 - B) Each pre-approved college course will be awarded a specific number of credits by the college. Each credit typically requires 15 hours of classroom time. Therefore, the Department will count the following number of hours for 1, 2, and 3 credit courses:
 - i) A 1-credit college course shall be the equivalent of 15 continuing education credits;
 - ii) A 2-credit college course shall be the equivalent of 30 continuing education credits; and
 - iii) A 3-credit college course shall be the equivalent of 45 continuing education credits.
 - 2) Category II Credit:

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- A) Participating in non-accredited professional development activities (1 credit per hour of instruction);
 - B) Serving as a CHW instructor in a core competency training program, a multi-session continuing education course, or CHW preceptor for field experience placement (4 credits per course or preceptorship);
 - C) Authoring or co-authoring a research publication (3 credits per article);
 - D) Serving as an invited presenter for a session or poster session at a professional conference, or facilitating a 1-session continuing education course (2 credits per presentation);
 - E) Serving in a CHW leadership position for an organization, (2 credits per organization, per year); and
 - F) Serving on a CHW workforce-related volunteer board or committee (2 credits per board or committee per year).
- c) A certified CHW shall verify successful completion of the required continuing education in the "Community Health Worker Renewal Application" for renewal or the "Community Health Worker Reinstatement Application" for reinstatement of lapsed certification.
- 1) For Category I, Accredited Continuing Education Courses, described in Section 951.600(a)(1), the CHW shall upload a certificate of completion, a transcript, or signed letter from the provider.
 - 2) For Category II, Other Professional Development, described in Section 951.600(a)(2), the CHW shall complete a brief form to provide detail about the activity, demonstrate relevance, and upload relevant documentation.
 - 3) Failure to provide proof of completion of Category I courses or Category II courses or activities shall result in ineligibility to renew or reinstate a certificate until proof of completion of the continuing education requirement is provided to the Department or Department's designee.

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- d) Certified CHWs are recommended to document and provide proof for all Category I or II courses and activities as they are completed. Certified CHW are required to document and upload this proof in advance of submission of their renewal application which is no later than 90 days prior to the expiration of their CHW certification.
- e) A course started in 1 3-year renewal cycle that is not completed until the next renewal cycle, will be counted toward the next renewal cycle.
- f) A certified CHW who earns more than the minimum number of continuing education hours required for a single reporting period cannot apply the excess hours to satisfy continuing education requirements in future reporting periods.
- g) A certified CHW shall retain proof of completion of approved continuing education for a period of 6 years.
- h) The Department or Department's designee will conduct an audit of any holder of a certificate to practice as a certified CHW to determine compliance with this Section.

Section 951.240 Renewal of CHW Certificate

- a) To renew a certificate of IL CHW-C credential, a holder of a current, valid certificate shall:
 - 1) Submit a completed on-line "Community Health Worker Certification Renewal Application"; and
 - 2) Meet the continuing education requirements set forth in Section 951.230.
- b) A complete renewal application must be electronically submitted and received no sooner than 180 days prior to certification expiration and no later than 90 days prior to certification expiration.
- c) If a complete renewal application is not received by 11:59 p.m. no less than 90 days prior to the certification expiration, the certification can lapse.

Section 951.250 Reinstatement of a CHW Certificate

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- a) To reinstate a lapsed CHW certification, the lapsed certification holder shall:
 - 1) Submit a completed "Community Health Worker Reinstatement Application"; and
 - 2) Complete either 12 continuing education hours or the number of required continuing education hours not completed during their last 3-year renewal period, whichever is greater. All continuing education requirements must be in accordance with Section 951.230, including Category I to II ratio requirements which is 2:1. (For example, for the requirement of 12 continuing education hours, at least 8 must be from Category I.)
- b) When a CHW certification is lapsed, the individual shall not represent or imply to the public that they are certified as a CHW and the individual shall not use the IL CHW-C credential. The public includes, but is not limited to, payers, employers, and clients.
- c) An individual who continues to represent to the public that they are a certified CHW during the time that their certificate is lapsed, will be subject to disciplinary action by the Director or designee in accordance with Section 951.260.

Section 951.260 Disciplinary Actions Against CHW Applicants and Certified CHWs

The Director of Public Health, after notice and opportunity for hearing, can deny, suspend, or revoke a certification or fine a certificate holder or any other person who has violated the Act or this Part. (Section 5-17(g) of the Act)

- a) The violations discussed in this Section are designed to evaluate the character of CHWs and to ensure the well-being and personal safety of the members of the public that CHWs serve.
- b) Violations that can be identified by the Department include, but are not limited to, a CHW engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public during the application process for CHW certification or the provision of CHW services.

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- 1) These violations include felony convictions where the behavior has a substantial relationship with the work that is being considered or conducted for purposes of the CHW profession.
 - A) Applicants and certified CHWs convicted of an Illinois Class X, Class 1 or Class 2 felony or an out-of-state equivalent offense shall be subject to adverse certification actions. In determining whether an applicant or certified CHW has been convicted of an out-of-state equivalent offense, the Department shall look to the essential elements of the out-of-state offense to determine whether that conviction is substantially equivalent to an Illinois Class X, Class 1 or Class 2 felony. The fact that the out-of-state offense can be named or classified differently by another state, territory or country shall not be considered in determining whether the out-of-state offense is equivalent. The controlling factor shall be whether the essential elements of the out-of-state offense are substantially equivalent to the essential elements of an Illinois Class X, Class 1 or Class 2 felony.
 - B) All applicants for certification under the Act shall fully disclose any felony convictions in writing to the Department at the time of initial application, renewal, and reinstatement. Failure to disclose felony convictions on an application submitted to the Department shall be grounds for certification denial or revocation.
 - C) All certificate holders under the Act shall report all new felony convictions to the Department within 7 days after conviction. Convictions shall be reported by means of electronic mail or a letter to the Department.
 - D) For applicants with a felony or an out-of-state equivalent offense, the Department shall have the authority to require that the applicant sign an authorization permitting the Department to obtain a criminal history report from the Illinois State Police or other law enforcement agency. The failure or refusal of any felony applicant to provide the authorization shall be grounds for denial of certification, renewal, or reinstatement.

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- E) In deciding whether to issue a certification to a person with a felony conviction, the Department shall consider only Class X, Class 1 or Class 2 felony convictions and the degree to which the applicant's criminal history suggests that the applicant can present a risk to clients. Factors to be considered by the Department in the determination shall include, but not be limited to the following:
 - i) The length of time since the conviction and the severity of the penalty imposed;
 - ii) Whether the conviction involved theft, deception or infliction of intentional, unjustified harm to others;
 - iii) Whether there are repeat or multiple convictions or whether the convictions suggest a particular pattern of overall disregard for the safety or property of others;
 - iv) Whether the conviction suggests a propensity that can pose a threat to the public in situations commonly confronted by CHWs;
 - v) The degree to which the applicant provided full, complete, and accurate information upon written request of the Department; and
 - vi) Other unusual facts and circumstances that strongly suggest that the applicant should not be granted certification.
- 2) The Department can request and the applicant shall provide all additional information relevant to the applicant's history and the factors listed in Subsection 951.260(b)(1)(E). The Department will deny any application when the applicant fails or refuses to provide additional information requested by the Department, including, but not limited to, providing the written authorization for a criminal background check.
- d) The identity of any individual providing information or reporting any possible or alleged misconduct to the Department shall be kept confidential and cannot be disclosed unless the individual consents to disclosure of their name or disclosure of the individual's identity is otherwise required by law.

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- e) Complaint investigations will be initiated by the Department within 30 days of receipt. Based on information submitted by the complainant and the results of the investigation, the Department will determine whether the individual has violated the Act or this Part.
- f) The Department will notify the individual of the complaint results after its determination of the finding, including the intent to deny, suspend, or revoke the individual's CHW certification, and the opportunity for a hearing.
- g) Notices and citations sent by certified mail or electronic mail to the applicant's last known address or electronic mail address that have been returned to the Department as unclaimed, undeliverable, or refused by the addressee will be considered served.
- h) Hearing procedures for any disciplinary action in this Section will be carried out in accordance with Section 951.280.

Section 951.270 Notice of Denial or Revocation of Certification

- a) If, based on any of the conditions listed in Sections 951.210, 951.220, and 951.260, the Department finds that refusal to grant or renew or that the revocation of a certification is warranted, the Department will notify the applicant at the applicant's last known address or electronic mail address. The notice will include the reasons for the proposed action and provide the applicant an opportunity to request a hearing.
- b) The notice will be sent to the address or electronic mail address listed on the most recent certification application submitted to the Department, unless the Department has been subsequently notified in writing of a change of address or electronic mail address, as follows:
 - 1) Certified mail sent to the address provided to the Department by the applicant will state the reasons for the proposed action and provide the applicant with an opportunity to request a hearing. Notices sent by certified mail to the last known mailing address of an applicant that are returned to the Department as unclaimed or refused by the addressee will be considered sufficient mailed notification; or

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- 2) Electronic mail sent to the last electronic mail address provided to the Department by the applicant will state the reasons for the proposed action and provide the applicant with an opportunity to request a hearing. Notices sent by electronic mail to the last known electronic mail address of an applicant that are returned to the Department as undeliverable or refused by the addressee will be considered sufficient electronically mailed notification.
- c) If a written hearing request is not received by the Department within 15 days after the date of certified or electronic mail by the Department, the right to a hearing is waived.

Section 951.280 Administrative Hearings

All hearings shall be conducted pursuant to the Act and the Department's Rules of Practice and Procedure in Administrative Hearings.

Section 951.290 No Fees for CHW Applications

There are no fees for processing CHW applications; this includes fees associated with criminal background checks.

SUBPART D: CHW TRAINING PROGRAM CERTIFICATION

Section 951.300 CHW Training Program Sponsors and Other Training Partners

- a) A CHW Training Program Sponsor will be any 1 of the following:
 - 1) Higher Education
The CHW Training Program at the higher education level will address all CHW core competencies outlined in Section 951.510, provide at least 100 classroom hours of instruction, and an 80-hour field experience that can be paid or unpaid. Acceptable Higher Education Sponsors are:
 - A) A community college recognized by the Illinois Community College Board; and
 - B) A not-for-profit, 4-year college or university approved by the Illinois Board of Higher Education.

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- 2) A public high school recognized by the Illinois State Board of Education. The high school CHW Training Program will address all CHW core competencies outlined in Section 951.510, provide at least 100 classroom hours of instruction, and an 80-hour field experience that can be paid or unpaid. Courses can be arranged as early college/dual credit courses where a high school student earns college credit and can count coursework toward high school graduation requirements.
- 3) A government or not-for-profit community-based CHW Training Program sponsored by an Illinois-based local health department, health care or social service provider; managed care organization/health plan; relevant association, community-based organization; or faith-based organization.
 - A) The community-based training program will address all CHW core competencies outlined in Section 951.510, provide at least 100 classroom hours of instruction, and an 80-hour field experience that can be paid or unpaid.
 - B) Instead of serving as a CHW Training Program Sponsor, a community-based organization, outlined in this Section, can serve as a training program partner to provide 1 or more components of a CHW Training Program. For this training component to count toward credit earned in a CHW Training Program, the organization must execute a Memorandum of Understanding (MOU) with the CHW Training Program Sponsor.
 - C) The MOU shall state the responsibility of CHW Training Program Sponsor for assuring quality of the student's education experience, at minimum, through review of training materials, instructor qualifications, student assessment, and evaluation of the course by students. At least 51 percent of classroom hours must be provided by the CHW Training Program Sponsor.
 - D) Upon the CHW Training Program Sponsor's review of the community-based training component, the Sponsor will have the discretion of applying credit for the student's training toward the Sponsor's CHW Training Program requirements. Application of credit must be in accordance with Boards' statutory and rules

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language related to Credit for Prior Learning (See Section 1501.311 of the Administration of the Illinois Public Community College Act and Section 1050.20 Program Review (Private Colleges and Universities)).

Section 951.305 CHW Training Program Administrator

- a) To be certified by the Department, a CHW Training Program shall employ or contract with a person to serve as CHW Training Program Administrator. The CHW Training Program Administrator shall be accountable for administration of the CHW Training Program and shall have the authority to ensure that the CHW Training Program is designed and implemented in a manner consistent within this Section and this Part.
- b) The CHW Training Program Administrator shall be responsible for the following:
 - 1) Assuring compliance related to communications and CHW Training Program requirements of the Department, and the reporting of any non-compliance;
 - 2) Assuring that the CHW Training Program establishes written policies addressing the issues set forth in this Section;
 - 3) Assuring that the policies of the CHW Training Program are implemented as written; and
 - 4) Assuring that the curriculum is taught by instructors who meet requirements specified in Section 951.520.
- c) The CHW Training Program shall adopt and implement program policies that address all the following:
 - 1) Criteria for students to enroll and continue in the CHW Training Program that establish a basic level of ability necessary for an individual to perform the essential functions of a CHW;
 - 2) Criteria for student re-enrollment in the CHW Training Program in the event the student chooses to re-enroll after not successfully completing the CHW Training Program and competency assessment;

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- 3) A process for determining whether a student has sufficient knowledge and practical skills to competently provide services of a CHW;
- 4) A process to support mastery of the competencies such as academic support services and the opportunity to practice or re-take components of the CHW Training Program;
- 5) A process for maintaining student records including the following:
 - A) The date a student began the CHW Training Program;
 - B) The date a student completed the CHW Training Program; and
 - C) The start and end dates of the field experience for each individual student.
- 6) An accurate, timely process to provide verification to the Department that a student seeking certification as a CHW has successfully completed the CHW Training Program;
- 7) A process for CHW Training Program evaluation that includes feedback from students, instructors and, as feasible, employers of individuals who have successfully completed the program;
- 8) Designation of those persons with authority to notify the Department regarding student enrollment, re-enrollment, and completion of the program upon the Department's request;
- 9) For individuals with prior learning in CHW-related subject matter, academic programs shall have a process in place to:
 - A) Review the individual's prior education and skills training;
 - B) Determine whether any of the prior education or skills training is substantially equivalent to the curriculum established in accordance with the State Boards' statutory and administrative rules related to Credit for Prior Learning (See Section 1501.311 of the Administration of the Illinois Public Community College Act

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and Section 1050.20 of the Program Review (Private Colleges and Universities)); and

- C) Award credit to the individual for any substantially equivalent prior education or skills training.
- 10) A process for addressing the unexpected vacancy of the CHW Program Administrator.
- d) When the CHW Training Program Administrator vacates the position or is replaced, an authorized representative of the CHW Training Program shall provide written notice to the Department within 30 days after the position is vacated and within 30 days after a new person assumes the role.
- e) When a decision is made by a CHW Training Program to close, the CHW Training Program Administrator shall notify the Department in writing of the decision and provide the following information:
 - 1) The expected date of closing;
 - 2) The location of the CHW Training Program's records, including but not limited to, student records; and
 - 3) The contact information including the name, address, phone number, and electronic mail address of the custodian of the records.

Section 951.310 CHW Training Program Lead

- a) To be certified by the Department, a CHW Training Program shall employ or contract with an individual to serve as CHW Training Program Lead. CHW Training Program Sponsors can refer to this individual as a CHW Training Program coordinator or lead instructor. This individual shall carry out the responsibilities set forth in subsection (c).
- b) The CHW Training Program Administrator is permitted to also serve as CHW Training Program Lead.
- c) The CHW Training Program Lead shall have the following responsibilities:

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- 1) Planning, implementing, evaluating, and coordinating the CHW Training Program as required in this Part;
 - 2) Completing, verifying, and submitting accurate documentation as required in this Part;
 - 3) Functioning as the primary contact in communications with the Department;
 - 4) Formulating, implementing, and communicating corrective measures as required by the Department; and
 - 5) Notifying the Department, in writing and within 5 business days, after a change in the CHW Training Program Lead.
- d) The CHW Training Program Lead shall successfully complete a Department-approved CHW instructor course prior to initial CHW Training Program application submission.

Section 951.315 Initial CHW Training Program Application

- a) A CHW Training Program that seeks to be certified by the Department shall submit to the Department the following information for each site operating under its sponsorship:
- 1) A completed "Community Health Worker Training Program Application"; and
 - 2) Any other information requested by the Department pursuant to this Part.
- b) The contents of the application will be prescribed by the Department and shall include at least the following information about the proposed CHW Training Program:
- 1) Organization and CHW Training Program Information
 - A) Name and type of the organization including documentation of non-profit status (as applicable).

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- B) Number of years the CHW Training Program has provided CHW training.
 - C) CHW Training Program name, physical and mailing address, electronic mail address, phone number, fax number, website.
 - D) CHW Training Program Administrator name, title, electronic mail address, and phone number.
 - E) CHW Training Program Lead and designee for when Program Lead cannot be reached, their names, titles, electronic mail addresses and phone numbers. These individuals will be considered primary and secondary contacts for the application unless otherwise specified in the application.
 - F) Indication of whether there are any current sanctions against the institution or organization by another accrediting or regulatory body.
- 2) CHW Training Program Curriculum Information
- A) Total instruction hours.
 - B) Total field experience hours.
 - C) Inclusion of the Department's CHW Core Competencies.
 - D) Inclusion of any specialty topics.
 - E) Language(s) in which the curriculum will be offered.
 - F) Curricular framework by course or training module to include the following:
 - i) A course or module title, learning objectives, and syllabus;
 - ii) Accompanying materials for requested modules or courses;
 - iii) A description of the field experience;

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- iv) Core competencies covered in each course and associated classroom hours associated with each core competency;
 - v) Training modality or modalities for courses; and
 - vi) Assessment methods for knowledge and practical skills and criteria for passing/failing course or module.
- 3) Instructor Information
 - A) Listing of instructors and their credentials.
 - B) Community-based training programs (i.e., programs not otherwise regulated by a State Board), must demonstrate that all instructors meet instructor qualifications outlined in (Section 951.520(a)).
 - C) As indicated in Section 951.520(b), all instructors will need to successfully complete a Department-approved CHW instructor course within 90 days from the date of commencement of teaching in the CHW Training Program.
- 4) CHW Apprenticeship Programs
 - A) CHW apprenticeship programs registered with the U.S. Department of Labor that requires them to have an administrative sponsor and 1 or more instructional providers.
 - i) If the lead instructional provider is a CHW Training Program and they are using a Department-approved CHW curriculum, the Department will offer a streamlined application process that references previously submitted documents. The application and reviews will focus on any differences between the Department-certified training curriculum and the instructional provider's proposed curriculum for the CHW apprenticeship program.

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- ii) If the CHW apprenticeship program's instructional provider is not a CHW Training Program, the instructional provider will use the standard training program application.
- B) The apprenticeship's administrative sponsor will be required to submit documentation that confirms the work experience offered meets the Department's field experience requirements.

Section 951.320 Initial CHW Training Program Application Review for Approval or Denial

- a) The Department can pilot the application, review, and program approval process for a limited number of CHW Training Programs representing different program sponsor types set forth in Section 951.300(a). An evaluation of the pilot would inform any adjustments the Department believes would improve the effectiveness or efficiency of the application, application review, on-site review, and approval processes prior to opening applications to all training programs in the state. When choosing training programs to participate in the pilot, the Department will consider volume of students trained in prior year, geographic diversity, and the training program's interest in participating.
- b) The Department will evaluate the application and proposed CHW Training Program for conformance to the CHW Training Program requirements contained in this Part. Based on Department review of completed applications and initial on-site or virtual visit, the Department will either certify or deny certification of a completed CHW Training Program application within 90 days.
 - 1) Approval of Initial Application.
 - A) When the Department finds that a proposed CHW Training Program, along with any additional materials and revisions that have been submitted, complies with the CHW Training Program requirements contained in this Part, the Department will issue a written notice of CHW Training Program certification to the CHW Training Program Sponsor.
 - B) The Department will issue an identification number to each CHW Training Program. The CHW Training Program Sponsor shall

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reference that number in any correspondence with the Department about the CHW Training Program.

- C) The CHW Training Program certification is for a period of 3 years unless the CHW Training Program is suspended prior to renewal.
- 2) Denial of Initial Application.
 - A) When the Department finds that a training program applicant fails to comply with the CHW Training Program requirements contained in this Part, the Department will notify the CHW Training Program Sponsor of intent to deny certification in writing through electronic mail. The notice to the CHW Training Program Sponsor will state the reasons for the denial and the right of the CHW Training Program Sponsor to resubmit an application after requirements are met.
 - B) After notification of intent to deny, if a resubmitted application still does not meet all requirements, the Department will notify the applicant of intent to deny certification in writing through certified mail or electronic mail. The notice to the applicant will state the reasons for the denial and the right of the training program to request a hearing within 15 days of the certified mailing or electronic mail. Considerations and hearing procedures will be conducted in accordance with Section 951.280.

Section 951.325 Changes to CHW Training Programs

All substantive changes to the content of the CHW Training Program application set forth in Section 951.315 shall be updated by the CHW Training Program Sponsor on the CHW Certification Program's information technology platform within 30 days of the change for the Department's review and approval.

Section 951.330 Review and Renewal of a CHW Training Program

- a) CHW Training Programs shall provide an annual report to the Department that provides the status of the CHW Training Program requirements and updates information from the initial application and previous reports to ensure all information is current.

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- b) The Department will review the annual report update to evaluate compliance with this Part and will conduct an on-site or virtual monitoring visit at least every other year.
- c) Determination of the need for additional on-site visits and other monitoring activities by the Department will be based upon the following:
 - 1) The proportion of a CHW Training Program's students who successfully complete the CHW Training Program;
 - 2) Any concerns about the quality of instruction or student assessment;
 - 3) The nature of complaints that can warrant an investigation by the Department;
 - 4) Submission of incorrect or incomplete documentation;
 - 5) A review of noncompliance issues that resulted in probation or the suspension of CHW Training Program approval in Section 951.355, and
 - 6) Department informational needs including for evaluation purposes.
- d) CHW Training Program renewal will be based upon the following:
 - 1) Outcomes of site visits and other monitoring activities;
 - 2) Approval of all 3 annual updates in the 3-year certification term; and
 - 3) A request to the Department, from the CHW Training Program Sponsor, for renewal of certification in the CHW Training Program Sponsor's third (final) annual update of the certification term.
- e) The Department will provide written notification of a 3-year renewal to the CHW Training Program Sponsor.

Section 951.335 Minimum Hours of Instruction

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CHW Training Programs shall comply with the following minimum hours of instruction and timeframe for instruction:

- a) Each CHW Training Program shall include a minimum of 100 hours of instruction. Instruction hours can include asynchronous curriculum modules, and independent or group experiential assignments such as developing a community resource list.
 - 1) Asynchronous instruction hours cannot exceed 70 percent of total instructional time.
 - 2) Instruction hours exclude breaks, meals, and any orientation to the CHW Training Program.
- b) Students shall also complete a field experience internship that is at least 80 hours that can be paid or unpaid.

Section 951.340 Field Experience

- a) Field experience is required for all CHW students. Field experience is defined as a task or activity planned to meet course objectives or outcomes and to provide CHW students with the opportunity to observe and debrief, and practice cognitive, psychomotor, and affective skills related to CHW service provision.
- b) The CHW Training Program Sponsor is responsible for the entire CHW Training Program including the field experience. The CHW Training Program shall:
 - 1) Develop and direct a field experience, or
 - 2) Fully execute an agreement with a field experience provider before the student begins the placement and provide oversight to assure a high-quality field experience.
- c) The Department recommends that field experience be integrated with classroom training when possible. Field experience shall be completed within a 12-month period of completing classroom training.
- d) A student who is employed as a CHW can pursue a field experience in their place of employment if the field experience can be completed within a 12-month period

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after completing coursework. The CHW Training Program Sponsor shall execute an agreement with the employer to serve as a field experience provider if the place of employment meets all requirements for field experience provider.

- e) A student can identify an organization aligned with their interests that is willing to provide a field placement for that student. The student can propose an organization to the CHW Training Program Sponsor as a potential field placement site. The CHW Training Program Sponsor shall execute an agreement with the employer to serve as a field experience provider if the organization chosen by the student meets all requirements for field experience provider.
- f) Alternative field experience placements can be developed by the CHW Training Program Sponsor and their field placement partner when more traditional field placements are difficult to secure. These can include student participation in telehealth visits or a simulation environment.
 - 1) CHW Training Programs are required to demonstrate these hours are above and beyond the 100 classroom hours and exposes the student to the application of CHW core competencies and the CHW profession.
 - 2) Simulation cannot exceed more than 50 percent (or 40 hours) of the 80-hour field experience.
- g) Field experience provider requirements
The field experience provider shall:
 - 1) Be a public health, medical, behavioral health, oral health, or social service provider; managed care organizations; community-based organization; or other relevant organization that can provide CHW students with field experience including direct contact with patients, members, or clients;
 - 2) Agree to provide paid or unpaid field experience in 1 or more sites for no fewer than a total of 80 hours for each individual student;
 - 3) Provide students with the opportunity to practice and observe and debrief CHW core competencies preferably in a field setting as presented in Section 951.510;

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- 4) Designate a field supervisor/s qualified to coach and assess students in applying the core competencies at an entry level, and model and debrief CHW core competencies with the student. The field supervisor should, at minimum, be a practicing professional at the level the student is aspiring to enter; and
- 5) Evaluate the student using a student field experience performance evaluation form provided by the CHW Training Program Sponsor and submit completed form to the CHW Training Program Sponsor. Field experience supervisors and students shall collaborate on the evaluation and discuss each student's strengths and areas identified for further development related to understanding and applying CHW core competencies within a field experience setting. The field experience evaluation is part of each student's final grade and determination of successful completion of the course.

Section 951.345 CHW Training Program Notification Requirements

- a) Upon certification, the CHW Training Program Sponsor shall submit to the Department or Department's designee, within 30 days, a completed master schedule including, but not limited to, dates, times, and location of CHW Training Program instruction. The CHW Training Program Sponsor shall submit subsequent master schedules at least 15 days prior to the first scheduled class day.
- b) The CHW Training Program Sponsor shall submit to the Department or Department's designee, within 15 days after CHW Training Program completion, an official roster of all students who have successfully completed the CHW Training Program including the field experience. The official roster shall include, but not be limited to, the following information:
 - 1) CHW Training Program identification number;
 - 2) Student identification, including name, date of birth, and electronic mail address;
 - 3) Date student completed all CHW Training Program requirements including field experience with determination of student pass or fail; and

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- 4) Signature of the CHW Training Program Administrator or Lead, or other verification as prescribed by the Department.

Section 951.350 Inactive Status for a CHW Training Program

- a) The Department will place a CHW Training Program on inactive status upon receipt of a written request from the CHW Training Program Sponsor or if there has been no CHW Training Program activity for 24 consecutive months.
- b) To apply for a return to active status, the Department will determine, depending on the magnitude of CHW Training Program changes, whether a CHW Training Program that has been on inactive status will be required to update a previously submitted application or submit a new application.
- c) The request for return to active status shall be submitted no fewer than 90 days prior to the scheduled beginning of the CHW Training Program.
- d) Based on a review of the application and materials for return to active status, the Department will follow the review and CHW Training Program approval process in Section 951.320.

Section 951.355 Probation or Suspension of a CHW Training Program Certification

- a) When the Department, upon evaluation or during monitoring of a CHW Training Program, finds that the CHW Training Program does not comply with CHW Certification Program requirements contained in this Part, the Department will notify the CHW Training Program Sponsor in writing through electronic mail of the finding of non-compliance and the reasons for the finding.
 - 1) Findings of non-compliance include, but are not limited to the following:
 - A) The instructor does not meet the instructor qualifications detailed in Section 951.520;
 - B) The CHW Training Program does not meet the curricular standards in Section 951.500 or does not address all the CHW core competencies in Section 951.510;

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- C) The CHW Training Program does not satisfy the requirement of 100 hours of classroom training;
 - D) The field experience provider(s) does not meet requirements as described in Section 951.340, has not been identified, will not be ready to accept students for field experience at the end of the classroom portion of the coursework, or cannot accommodate the number of students enrolled in the CHW Training Program that will need 80 hours of field experience per student to be considered for certification;
 - E) The instruction is being conducted outside approved modality or modalities;
 - F) The instruction site does not meet student needs for space, safety, comfort, and learning;
 - G) The CHW Training Program did not fully participate in a Department-requested review of the CHW Training Program pursuant to Section 951.330;
 - H) The master schedule was not received within 15 days prior to the first scheduled class day;
 - I) The CHW Training Program is not conducted in accordance with the master schedule;
 - J) The official roster of students having completed the CHW Training Program is not submitted to the Department within 30 days after CHW Training Program completion; and
 - K) The CHW Training Program fails to report any sanctions against the institution or organization by another accrediting or regulatory body.
- 2) The CHW Training Program shall respond within 10 business days after receipt of the deficiency notice by submitting a written improvement plan with goals, strategies, and completion dates to address all findings of non-compliance.

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- 3) A CHW Training Program found in non-compliance can be subject to follow-up monitoring by the Department, if necessary, to ensure correction.
- b) When the Department determines that the findings of non-compliance in the written notice issued per subsection (a) have not been corrected or the CHW Training Program submits a deficient correction plan, the Department will place the CHW Training Program on probationary status.
 - 1) The Department will notify the CHW Training Program in writing regarding probationary status as well as the relevant State regulatory agency, the Illinois Community College Board, Illinois Board of Higher Education, or the Illinois State Board of Education;
 - 2) While on probation, the CHW Training Program shall be required to provide progress updates on or before dates in the Department-approved improvement plan. A final report addressing the improvements made will include data, narrative, and patterns of evidence as appropriate;
 - 3) While on probation, the CHW Training Program can enroll new students and serve continuing students. These students will be eligible for State CHW certification;
 - 4) Notice of probationary status must be publicly provided within 15 days on the CHW Training Program Sponsor's website and in CHW Training Program materials for students indicating it is on probation with the CHW Certification Program;
 - 5) When the Department determines that the findings of non-compliance in the written notice issued per subsection (a) have been corrected within 3 months, unless the 3 months is extended by the Department for another 3 months, the Department will remove the CHW Training Program from probationary status; or
 - 6) The Department will notify the CHW Training Program, and the relevant State regulatory agency where appropriate, within 10 business days in writing when the probationary status has been lifted using certified mail.

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- c) When the Department determines that the findings of non-compliance identified in the written notice of probation per subsection (a) have not been corrected within 3 months, unless the 3 months is extended by the Department for an additional 3 months, the Department can suspend its approval of the CHW Training Program.
- d) The Department will notify the CHW Training Program, and the relevant State regulatory agency where appropriate, in writing through certified mail regarding the suspension status, including the duration of suspension and conditions of reinstatement. The following apply to suspended CHW Training Programs:
 - 1) A CHW Training Program placed on suspension shall either complete CHW Training Program implementation for the currently enrolled CHW student cohort or transfer students to an CHW Training Program to complete their course of study. The Department will provide guidance to the CHW Training Program on how to proceed based on an estimate of costs and benefits to enrolled students;
 - 2) A suspended CHW Training Program shall not enroll new students who are seeking training from a CHW Training Program as a prerequisite for applying for CHW certification;
 - 3) Upon adequate completion of the elements outlined in the improvement plan, the Department will notify the CHW Training Program, and the relevant State regulatory agency where appropriate, in writing through electronic mail when the suspension has been lifted;
 - 4) When the certification of a CHW Training Program has been suspended for reasons other than non-compliance such as a repeated poor rate of student success in completing and passing the CHW Training Program, or repeated poor feedback from students, instructors, field supervisors, or employers, the CHW Training Program Sponsor shall have the right to appeal the suspension and is entitled to a hearing before the Department;
 - 5) A suspended CHW Training Program shall not present themselves to prospective students as a pathway to CHW certification or conduct CHW training for students seeking training from a CHW Training Program to apply for CHW certification; and

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- 6) The CHW Training Program will remain suspended until the CHW Training Program Sponsor can demonstrate evidence of how the CHW Training Program meets requirements and standards for reinstatement as an approved CHW Training Program and plans are sustainable for the future.
- e) When the certification of a CHW Training Program has been suspended the CHW Training Program Sponsor can submit a written appeal of the action and request for a hearing within 15 days after notification of the decision to suspend the CHW Training Program.
- f) All hearings under this Part shall be conducted in accordance with Section 951.280.

Section 951.360 No Fees for CHW Training Program Application

There are no fees for processing CHW Training Program applications.

SUBPART E: CHW CERTIFICATION PROGRAM REGISTRIES

Section 951.400 CHW Certification Program Registries

- a) The Department will establish and maintain a CHW Registry of certification records for individually certified CHWs. The Illinois Department of Healthcare and Family Services, CHW employers, and the public will be able to access a searchable database to determine CHW certification status of an individual CHW.
- b) The Department will establish and maintain a Registry of CHW Training Programs. An individual or entity interested in becoming a Department-certified CHW Training Program and the public will be able to view a current database of certified CHW educational and training programs.

SUBPART F: CHW TRAINING PROGRAM CURRICULA AND
INSTRUCTOR REQUIREMENTS**Section 951.500 Curricular Standards**

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- a) An approved curriculum for a CHW Training Program shall prepare students to achieve the core competencies set forth in subsection (d) and Section 951.510 and shall satisfy all the following:
- 1) Include a program philosophy, objectives or outcomes, course objectives or outcomes, teaching strategies, and core competencies or other evaluation methods that are:
 - A) Consistent with the law regulating the practice of the CHW;
 - B) Internally consistent;
 - C) Implemented as written, and
 - D) Distributed to CHW students prior to or at the time of enrollment.
 - 2) Include a curriculum plan showing the sequence of courses, field experience, and units of credit or number of clock hours allotted to theory and field experience.
 - 3) Include curriculum content that is a minimum of 100 hours of classroom instruction and 80 hours of field experience.
- b) As part of instruction required in subsection (a), the standard minimum curriculum for CHWs shall reflect the defined role and core competencies of CHWs workers outlined in Section 951.510(b).
- c) Roles of CHWs
These roles have been adopted for use in the CHW Certification Program:
- 1) Engage in Service Coordination and System Navigation;
 - 2) Advocate for and Build Capacity of Individuals and Communities;
 - 3) Conduct Outreach;
 - 4) Provide Culturally Appropriate Health Education and Information;
 - 5) Provide Health Coaching and Social Support;

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- 6) Conduct Individual and Community Assessments;
- 7) Serve as Community/Cultural Liaison Among Individuals, Communities, and Health and Social Service Systems; and
- 8) Participate in Evaluation and Research.

Section 951.510 Core Competencies for CHW Training Programs

a) *A community health worker shall have the following core competencies:*

- 1) *Communication;*
- 2) *Interpersonal skills and relationship building;*
- 3) *Service coordination and navigation skills;*
- 4) *Capacity-building;*
- 5) *Advocacy;*
- 6) *Presentation and facilitation skills;*
- 7) *Organizational skills; cultural competency;*
- 8) *Public health knowledge;*
- 9) *Understanding of health systems and basic diseases;*
- 10) *Behavioral health issues;*
- 11) *Field experience* (Section 5-5 of the Act);
- 12) Professional skills and conduct (See the National Council on CHW Core Consensus Standards and "Core Competencies for Community Health Workers"); and

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- 13) Individual and community assessment (See the National Council on CHW Core Consensus Standards and "Core Competencies for Community Health Workers")
- b) The core competencies (an individual competency or 2 complementary competencies as presented below) shall each have a minimum of 5 classroom hours dedicated out of a total minimum of 100 required classroom hours: Competency areas 1 (communications) and 2 (interpersonal skills and relationship building), Competency area 3 (service coordination and navigation skills), Competency areas 4 (capacity-building) and 5 (advocacy), Competency area 6 (presentation and facilitation skills), Competency areas 7 (organizational skills) and 12 (professional skills and conduct), Competency area 7 (cultural competency), Competency area 8 (public health knowledge), Competency areas 9 (understanding of health systems and basic diseases) and 10 (behavioral health issues), and Competency area 13 (individual and community assessment). Competency area 11, field experience, shall have a minimum of 80 hours dedicated in addition to the 100 required classroom hours.
 - 1) Core Competency Area 1: Communication
This competency supports effective oral and written communication abilities, as well as team-based communications. CHWs must also be able to demonstrate their work through written documentation according to the employer's requirements. This competency includes the ability to:
 - A) Use clear and plain language; explain new terms or concepts to help ensure client understanding;
 - B) Use written, visual and audio-visual materials to convey information clearly and accurately;
 - C) Use active listening skills; repeating back important information as necessary to confirm mutual understanding;
 - D) Organize thoughts and write at the level necessary to communicate effectively with clients, other community members, supervisors, and other professional colleagues;
 - E) Use appropriate technology, such as computers, for work-based communications in accordance with employer requirements;

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- F) Clearly and accurately document work; complying with the employer's reporting, record keeping, and documentation requirements; and
- G) Optional skills:
 - i) Speak and write in client's preferred language and at the appropriate literacy level for the client; and
 - ii) Assist in interpreting and translating health information.
- 2) Core Competency Area 2: Interpersonal Skills and Relationship Building
To build interpersonal relationships, individuals must listen and show empathy to others. This competency includes the ability to:
 - A) Communicate with empathy, respect, and cultural humility;
 - B) Use language that conveys caring and is non-judgmental;
 - C) Ask neutral, open-ended questions to request relevant information;
 - D) Pay attention to expressive (non-verbal) behavior;
- 3) Core Competency Area 3: Service Coordination and Navigation Skills
This competency supports effective service coordination and navigation abilities. To work effectively with clients, individuals must be familiar with community resources, understand how to access them, and collaborate with other professionals. This competency includes the ability to:
 - A) Coordinate care which includes identifying and accessing resources, making appropriate referrals to services, and helping clients overcome barriers to accessing resources and services. These skills are applicable to physical, behavioral, and oral health, as well as social determinants of health;

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- B) Support clients in digital health navigation. For example, identify assistance or assist clients in using telehealth, patient portals, and health apps;
 - C) Facilitate development of individual and group action plans to improve health in cooperation with clients and professional colleagues that recognize and build upon client goals, strengths, and abilities to work on achieving their goals;
 - D) Coordinate education, system navigation, and behavior change activities with clinical and community service providers, ensuring alignment with care and compliance with Health Insurance Portability and Accountability Act (HIPAA) privacy standards; and
 - E) Follow-up and track referrals and outcomes.
- 4) Core Competency Area 4: Capacity-Building
Individual capacity building helps clients develop the confidence and ability to assume increasing control over decisions and resources that affect their health and well-being. Community capacity building involves promoting collective empowerment through education, skill development, networking, organizing, and strategic partnerships. Capacity building requires planning, cooperation, and commitment, and can involve working to change public awareness, organizational rules, institutional practices, or public policy. This competency includes the ability to:
- A) Describe the range of health and human services available to clients and how to access these services. Client referrals to services must be appropriate based on eligibility considerations which can include immigration status;
 - B) Encourage clients to identify and prioritize their personal, family, and community needs;
 - C) Encourage clients to identify and use available resources to meet their needs and goals. Use role-modeling and other strategies to support clients in meeting their goals; and

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- D) Collaborate with appropriate community partners in capacity building activities such as identifying gaps in health and social services and participating in the development of solutions.
- 5) Core Competency Area 5: Advocacy
This competency supports working with or on behalf of clients and communities to exercise their rights and gain access to resources. This competency includes the ability to:
- A) Understand rights such as the right to privacy of protected health information, to refuse treatment, to report unequal treatment, to provide informed consent, to receive benefits including, for example, Medicaid transportation services;
 - B) Advocate on behalf of clients and community members to assist them in obtaining needed care or resources in a reasonable and timely fashion; and
 - C) Provide information and support for people to advocate for themselves over time and to participate in the provision of improved services.
- 6) Core Competency Area 6: Presentation and Facilitation Skills
This competency supports the ability to serve as a presenter and facilitator, as well as a health education coach, using a variety of techniques to motivate and support behavior change to improve health. CHWs respect a client's experience and their ability to learn, take advantage of resources, and set priorities for changing their own behavior. The most successful educators are open to receiving feedback and are willing to adapt appropriately. This competency includes the ability to:
- A) Apply information from client and community assessments to health education strategies;
 - B) Apply multiple techniques to help clients understand and feel empowered to address health risks for themselves, their family members, or their communities. Examples of models and techniques include the Health Belief Model, Transtheoretical Model of Change (stages of change), informal counseling,

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motivational interviewing, active listening, harm reduction, and advocacy;

- C) Demonstrate effective engagement, presentation, and facilitation skills with individuals and groups. Examples of these skills include: speaking clearly and in a way clients can understand, projects voice appropriately, communicating in a respectful and supportive manner, having knowledge on content of material presented, using appropriate forms of engagement, showing respect for diversity, receiving feedback, and being adaptable in improving communications;
 - D) Facilitate constructive discussion in informal and group settings with clients and their families;
 - E) Provide on-going support and follow-up as necessary to support healthy behavior change; and
 - F) Communicate with providers and service organizations to help them understand individual and community conditions, culture, and behavior to improve the effectiveness of the services they provide.
- 7) Core Competency Area 7: Organizational Skills; Cultural Competency
- A) Organizational Skills
CHWs must be able to successfully manage multiple demands on their time, recognize which tasks are most urgent, and act accordingly. Organizational skills are 1 of several professional skills. This competency includes the ability to:
 - i) Establish priorities and organize time, resources, and activities to achieve them; and
 - ii) Seek assistance from supervisors as necessary to address challenges related to work responsibilities.
 - B) Cultural Competency

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This competency supports cultural awareness and responsiveness. Culture is defined here as beliefs, values, customs, and social behavior shared by a group of people with common identity. Identity can be based on race, ethnicity, language, religion, sex, gender identity, sexual orientation, disability, health condition, education, income, place, profession, history, or other factors. CHWs educate and support providers in working with clients from diverse cultures and help clients and community members interact effectively with professionals to promote health, improve services, and reduce disparities. Culture also includes organizational cultures, which are reflected in how organizations deliver services. This competency includes the ability to:

- i) Explain how one's own culture and life experiences influence one's work with clients, community members, and colleagues from diverse backgrounds, including implicit bias;
- ii) Explain the role implicit bias plays in human interaction including common instances of exclusionary behavior such as racism, homophobia, sexism, ableism, and ageism;
- iii) Describe how health beliefs and behavior can be influenced by culture and community;
- iv) Practice cultural humility and employ techniques for interacting sensitively and effectively with people from cultures and communities that differ from one's own;
- v) Make accommodations to address identified communication needs in a sensitive manner;
- vi) Advocate for and promote the use of culturally and linguistically appropriate services and resources within organizations and with diverse colleagues and community partners;

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- vii) Describe ways the organizational culture within provider agencies and institutions can affect access, quality, and client experience with services;
 - viii) Support the development of authentic, effective partnerships between clients and providers by helping each to better understand the other's perspectives; and
 - ix) Advocate for client self-determination and dignity.
- 8) Core Competency Area 8: Public Health Knowledge
- This competency supports the understanding and application of public health concepts and approaches. Public health is a science-based discipline focused on protecting and promoting population health, preventing illness and injury, eliminating health inequities, and working to improve the health of communities and populations. CHWs often use their knowledge of the larger contexts of clients' lives, including social determinants of health, to provide support to help them overcome barriers or improve conditions that affect their health. This competency also supports the use of effective outreach methods to locate, contact, engage with, and help connect clients with resources to improve their health and well-being. This competency includes the ability to:
- A) Identify factors that influence health outcomes and access to health care services including:
 - i) the social and economic environment;
 - ii) the physical environment; and
 - iii) the person's individual characteristics and behaviors;
 - B) Develop awareness of public health and its importance in improving the health of communities and populations;
 - C) Explain the relationship between health and social justice;
 - D) Promote efforts to prevent injury and disease and support effective use of the health care system;

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- E) Define 3 levels of prevention including primary, secondary, and tertiary;
 - F) Develop and implement outreach plans in collaboration with colleagues, based on individual, family, and community needs, strengths, and resources;
 - G) Use a range of outreach methods to locate and engage individuals and groups in diverse settings to help meet their needs. These methods can include tracking down contact information, phone calls, in-person conversations, group presentations, distribution of print and electronic information, and social media, among others;
 - H) Promote health equity and efforts to reduce health disparities through engagement with clients, professional colleagues, and community partners; and
 - I) Develop an awareness of the role of research in community health and identify ways CHWs might participate in research.
- 9) Core Competency Area 9: Understanding of Health Systems and Basic Diseases
- This competency supports general knowledge of human body systems and common physical health and oral health. Many experience barriers to primary healthcare, from fear to access issues. Having a basic knowledge of common health conditions presents the opportunity to support wellness and promote early intervention. This competency includes the ability to:
- A) Identify the 10 major human body systems: skeletal, muscular, nervous, endocrine, cardiovascular, lymphatic, respiratory, digestive, urinary, and reproductive;
 - B) Use an example to describe how a problem with 1 body system can affect another body system;
 - C) Apply knowledge of human body systems to assist the client in being able to share and identify risk and protective factors for

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chronic and infectious diseases so that the client's healthcare team can be fully informed as they develop treatment plans;

- D) Define acute, chronic, and infectious disease; and explain the differences;
 - E) Define the concepts of signs and symptoms related to common health conditions. Provide 1 example each for physical and oral health;
 - F) Define the concepts of health promoting and preventive measures related to common health conditions. Provide 1 example each for physical and oral health;
 - G) Identify strategies to help individual clients take medication as prescribed;
 - H) Identify and share credible sources of information about specific health topics most relevant to the populations and communities being served. Common topics can include healthy lifestyles (nutrition; exercise; avoidance of tobacco, alcohol, and other drugs), maternal and child health, heart disease and stroke, obesity, diabetes, asthma, cancer and oral health.
- 10) Core Competency Area 10: Behavioral Health Issues
- This competency supports understanding of behavioral health and the practical skills to intervene. CHWs need to be able to address a potential mental illness or substance use disorder in a safe and responsible manner. CHWs also need to understand the widespread impact of trauma and potential paths for recovery. To intervene effectively, it is necessary to know the resources available in the community, and how to access them. This competency includes the ability to:
- A) Define the concepts of signs and symptoms related to common health conditions. Provide an example related to behavioral health;
 - B) Define the concepts of health promoting and preventive measures related to common health conditions. Provide an example for behavioral health;

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- C) Identify strategies to help individual clients take behavioral health medication as prescribed;
 - D) Identify and share credible sources of information about behavioral health most relevant to the populations and communities being served;
 - E) Identify, understand, and respond to signs of mental health and substance use challenges;
 - F) Define de-escalation and demonstrate de-escalation techniques during simulation;
 - G) Identify the impact of trauma across the lifespan, including adverse childhood experiences (ACEs); and
 - H) Apply trauma-informed care strategies to self, client interactions, organizations, and communities.
- 11) Core Competency Area 11: Field Experience
Application of New Learnings in Field Setting This competency supports the individual's ability to demonstrate the skills necessary to effectively perform core aspects of their role. This competency includes the ability to:
- A) Utilize appropriate oral and written communications including electronic communication;
 - B) Complete a home, telehealth, or community visit; document encounter; and share findings with appropriate team personnel;
 - C) Understand and use safety protocols in a home, telehealth, or community visit to help ensure CHW safety;
 - D) Demonstrate cultural awareness and humility;
 - E) Collaborate effectively with other professionals in community resource organizations;

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- F) Maintain client confidentiality;
 - G) Access or develop a current list or database of community resources; and
 - H) Demonstrate an ability to work independently and as part of a team.
- 12) Core Competency Area 12: Professional Skills and Conduct
- This competency orients the learner to the CHW profession and its history. It supports the application of professional skills which includes, for example, handling ethical issues, protecting client confidentiality and privacy, and balancing care for clients with self-care. CHWs must be able to act decisively in complex circumstances but also rely on supervisors and other professionals. They must observe their employer's rules and the regulations governing public and private resources while being creative in helping community members meet their needs. This competency includes the ability to:
- A) Identify the roles, competencies, and characteristics of CHWs and their historic contributions to promote the health of individuals and communities;
 - B) Describe the scope and boundaries of the CHW role in the context of professional teams such as a health care, care coordination, and public health team. This includes examples of when and how to contact the appropriate professional/s when something beyond the scope of the CHW role needs to be addressed;
 - C) Demonstrate awareness of state and national CHW member associations that advance and support the role of CHWs;
 - D) Demonstrate awareness of and adherence to the "Code of Ethics for Community Health Workers";
 - E) Respect client privacy rights under HIPAA and applicable agency rules;

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- F) Understand issues related to abuse, neglect, and criminal activity that can be reportable under law and regulation according to agency policy;
 - G) Understand legal definitions for consent to treatment and who can legally consent;
 - H) Maintain appropriate boundaries that balance professional and personal relationships, recognizing dual roles as both CHW and community member;
 - I) Utilize and advocate as necessary for supervision, training, continuing education, networking, and other resources for professional development and lifelong learning for self and colleagues;
 - J) Discuss the importance of self-care planning to reduce stress and improve health and well-being of the CHW workforce; and
 - K) Preparation for field experience including but not limited to understanding home visit protocols including safety, and how to document client encounters and share findings with appropriate team personnel.
- 13) Core Competency Area 13: Individual and Community Assessment
This competency supports skill development in conducting assessments – the collection, synthesis, and use of information to help understand the needs, strengths, and resources of individuals and communities served by CHWs. CHWs share this information with clients, co-workers, and community partners to help plan and carry out effective programs, services, and advocacy based on shared priorities. Assessment is an ongoing process that, when combined with regular evaluation of progress, helps assure effective, client and community-centered care. This competency includes the ability to:
- A) Gather and combine information from different sources to better understand clients, their families, and their communities;

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- B) Assess barriers to accessing health care and other services and identify ways to overcome them;
 - C) Assist clients in identifying their goals, barriers to change, and supports for change, including personal strengths and problem-solving abilities;
 - D) Engage in systematic problem solving to achieve client objectives. This can include assessment of social needs, information gathering, goal setting, planning, implementation, evaluation, and revision of plans and methods, as needed;
 - E) Continue assessment as an on-going process, considering changes in client circumstances and the CHW-client relationship; and
 - F) Share community assessment results with co-workers and community partners to inform planning and health improvement efforts.
- c) CHWs can be required to undergo additional training, including, but not limited to, asthma, cancer, diabetes, maternal child health, oral health, behavioral health, and social determinants of health training. Multi-tiered training approaches shall provide opportunities that build on each other and prepare CHWs for career pathways both within the CHW profession and within allied professions (See Section 5-10(d) of the Act).
- d) The CHW Training Program Lead and other instructors will conduct an ongoing course-level assessment, based on progression of student learning, to inform where the instructor would best allocate discretionary hours.

Section 951.520 Instructor Qualifications for CHW Training Programs

- a) CHW Training Programs shall be taught by qualified instructors. For all CHW Training Programs, the Department or designee will review records to validate instructor qualifications.
 - 1) For Community College Training Programs, instructors shall meet requirements of Section 1501.303(f) of the Administration of the Illinois Public Community College Act.

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- 2) For Public or Not-for-Profit, 4-Year College or University Training Programs, instructors shall meet requirements of Section 1030.30(a)(5) of the Program Review (Private Colleges and Universities).
- 3) For High School Training Programs, instructors shall have Career and Technical Education Licensure and meet requirements of Sections 25.70, 25.72, and 25.81 of the Educator Licensure.
- 4) For Community-based Training Programs, instructors associated with non-academic training institutions shall have the following:
 - A) The credential or education includes at least 1 of the below credentials:
 - i) A current IL CHW-C credential;
 - ii) An associate or bachelor's degree in health or human services;
 - iii) At least 60 semester hours of college-level coursework with at least 20 credits in a health or human services field; or
 - iv) A master's degree or higher with at least 18 graduate credits in a health or human services field.
 - B) At least 2,000 hours of work or field experience. Field experience is recommended to be as a CHW or experience reflects at least half of the roles and core competencies of a CHW.
 - C) 2 professional references recommending the candidate to serve as an instructor in a CHW Training Program.
- b) The Department will require and arrange for an instructor course to help ensure up-to-date qualification for teaching in a CHW Training Program including:

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- 1) Instructor training will be required for all CHW Training Program Leads and instructors regardless of the CHW Training Program Sponsor, the instructor's credentials, education, degree, or experience;
- 2) The Department's instructor course will be web-based, self-paced, and provided at no cost to the instructor;
- 3) The instructor course will at minimum include introduction to the CHW Certification Program and requirements, CHW core competencies, popular education model and adult learning principles, facilitating effective virtual and in-person training sessions, and student assessment;
- 4) Timing of Course Completion.
 - A) The CHW Training Program coordinator and lead instructor shall pass the course prior to the CHW Training Program Sponsor's submission of a certification application.
 - B) Other instructors are recommended to complete the course prior to teaching in the CHW Training Program. If this is not possible, the instructor will have 90 days from date of commencement of teaching in the CHW Training Program to complete and pass the course. If the instructor does not pass the course within the 90 days, they can complete teaching any course that is currently underway. They cannot initiate teaching a new course until they have passed the instructor training course; and
- 5) The instructor shall have 3 attempts to pass each training module competency quiz with a minimum score of 80 percent. If an instructor does not pass in 3 attempts:
 - A) The module quiz will be frozen for 7 days while the instructor engages in self-study. The instructor can re-take the module quiz they did not pass another 3 times.
 - B) If they still do not pass, the instructor can make attempts annually thereafter. The same process for re-takes described in subsection (5)(A) are applicable for any annual attempts.

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- c) The CHW Training Program Lead shall monitor the CHW Training Program and shall ensure that instructors are qualified and are implementing the CHW Training Program as required, and that the required documentation is maintained.

SUBPART G: CHW CONTINUING EDUCATION

Section 951.600 Categories of Continuing Education

- a) The Department will award continuing education credit to the certified CHW for successful completion of courses or activities in the following categories, and with appropriate documentation of such activities as required in Section 951.230.
 - 1) Category I – Preapproved Accredited Continuing Education Courses.
 - A) Category I credits are required. A minimum of 24 hours or a maximum of 36 hours are required and will be applied toward the 36 hours of continuing education required every 3 years.
 - B) The Department shall preapprove accredited continuing education courses that include the following:
 - i) Aligned with 1 or more CHW core competencies per Section 951.510;
 - ii) Accredited by a nationally recognized accreditation system of continuing education, a national certifying body, or a board or agency that regulates a health care profession or related discipline in Illinois or another jurisdiction; and
 - iii) Provided by an accredited educational institution in the U.S. for which academic credit is awarded.
 - 2) Category II - Other Professional Development.
 - A) Category II credits are optional. A maximum of 12 hours will be applied toward the 36 hours of continuing education required every 3 years.

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- B) The Department will consider approval of non-accredited professional development activities including classes, workshops, conferences, lunch and learns, and on-line modules proposed by the certified CHW for certification renewal that include the following:
 - i) Aligned with 1 or more Illinois CHW core competencies per Section 951.510; and
 - ii) Provided by the CHW's employer or other organizations such as a local health department, health care or social service provider; managed care organization; community-based organization; faith-based organization; relevant association; non-credit courses at a college or not-for-profit, private business and vocational school.
- C) The Department will consider approval of other activities that have direct relevance to the promotion or advancement of the CHW workforce including the following:
 - i) Participating in non-accredited professional development activities;
 - ii) Serving as a CHW instructor in a core competency training CHW Training Program, a multi-session continuing education course, or CHW preceptor for field experience placement;
 - iii) Authoring or co-authoring a research publication;
 - iv) Serving as an invited presenter at a professional conference or facilitating a 1-session continuing education course; and
 - v) Serving in a leadership position for a CHW association or organization or serving on a volunteer board or committee.
- b) The Department has the authority to require Category I continuing education in a particular topic area or areas based on changes in the environment or Department-

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identified priorities based on feedback or survey results from CHW Training Programs, CHW industry, CHWs, or CHW employers.

Section 951.610 Information on Continuing Education Available to CHWs

- a) The Department will describe continuing education Category I and II on the CHW Certification Program's website and include a list of preapproved continuing education sponsors with links to their accredited continuing education courses.
- b) Any Department required continuing education in a particular topic area or areas will be communicated to certified CHWs on the CHW Certification Program's website and via electronic mail to individual certified CHWs.

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- 1) Heading of the Part: Certificate of Title, Registration of Vehicles
- 2) Code Citation: 92 Ill. Adm. Code 1010
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
1010.150	Amendment
1010.185	Amendment
1010.APPENDIX E	New Section
- 4) Statutory Authority: Authorized by Section 2-104(b), and implementing Chapters 3 and 5, of the Illinois Vehicle Code [625 ILCS 5] and Section 1.44 of the Statute on Statutes [5 ILCS 70].
- 5) A Complete Description of the Subjects and Issues Involved: We are amending Section 1010.150 to include the requirements and process to add a beneficiary to the title of a vehicle. Currently, the process is specified in SOS Department Policy only, pursuant to 625 ILCS 5/3-104(a-5). We also seek to amend and clarify the existing provisions regarding titling and registration of specially constructed vehicles. Because a specially constructed vehicle may consist of parts from a junk vehicle, if certain major component parts of that junk vehicle are used, the new, specially constructed vehicle runs the risk of also technically being junk. This amendment intends to clearly state that the frame from a junk vehicle may not be used in the assembly of a specially constructed vehicle. Lastly, this rulemaking will codify the acceptable and unacceptable forms of identification and residency documents that may be presented to the Secretary of State for the purposes of title and registration transactions.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No

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- 11) Statement of Statewide Policy Objectives: This rulemaking with not require a local government to establish, expand, or modify its activities in such a way as to necessitate additional expenditures from local revenue.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their written comments concerning this rulemaking within 45 days from the publication date of this issue of the *Illinois Register*.

Pamela Wright
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- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Auto Body Shops and those involved in the building or rebuilding of vehicles.
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis:
Determine whether the rulemaking has an impact on small business (fewer than 50 full-time employees or less than \$4,000,000 in gross annual sales). The agency must provide an impact analysis including:
- A) Types of businesses subject to the proposed rule:
48-49 Transportation and Warehousing
- B) Categories that the agency reasonably believes the rulemaking will impact, including:

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- ii. regulatory requirements;
- viii. record keeping.

- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because we did not anticipate its filing.

The full text of the Proposed Amendments begins on the next page:

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TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATEPART 1010
CERTIFICATES OF TITLE, REGISTRATION OF VEHICLES

SUBPART A: DEFINITIONS

Section	
1010.10	Owner – Application of Term
1010.20	Secretary and Department

SUBPART B: TITLES

Section	
1010.100	Electronic Lien and Title (ELT) Program Provisions
1010.110	Salvage Certificate – Additional Information Required to Accompany Application for a Certificate of Title for a Rebuilt or a Restored Vehicle Upon Surrendering Salvage Certificate
1010.120	Salvage Certificate – Assignments and Reassignments
1010.130	Exclusiveness of Lien on Certificate of Title
1010.140	Documents Required to Title and Register Imported Vehicles Not Manufactured in Conformity with Federal Emission or Safety Standards
1010.150	Transferring Certificates of Title Upon the Owner's Death
1010.160	Repossession of Vehicles by Lienholders and Creditors
1010.170	Junking Notification
1010.180	Specially Constructed Vehicles – Defined
1010.185	Specially Constructed Vehicles – Required Documentation for Title and Registration
1010.190	Issuance of Title and Registration Without Standard Ownership Documents – Bond
1010.193	Procedures for Application for Title for Vehicles Purchased at Mechanic's Lien Sales
1010.195	Procedures and Disclosures for Vehicles Previously Titled in Areas Flooded as a Result of a Natural Disaster

SUBPART C: REGISTRATION

Section

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1010.200	Homemade Trailers – Title and Registration
1010.210	Application for Registration
1010.220	Vehicles Subject to Registration – Exceptions
1010.230	Refusing Registration or Certificate of Title
1010.240	Registration Plates To Be Furnished by the Secretary of State
1010.245	Electronic Registration and Titling (ERT) Program Provisions
1010.250	Applications For Reassignment
1010.260	Special Plates – Prior Military Service Required

SUBPART D: REVOCATION, SUSPENSION AND
CANCELLATION OF REGISTRATION

Section	
1010.300	Operation of Vehicle after Cancellation, Suspension, or Revocation of any Registration
1010.310	Improper Use of Evidences of Registration
1010.320	Suspension, Cancellation or Revocation of Illinois Registration Plates and Cards and Titles
1010.330	Operation of Vehicle Without Proper Illinois Registration
1010.350	Suspension or Revocation
1010.360	Surrender of Plates, Decals or Cards

SUBPART E: SPECIAL PERMITS AND PLATES

Section	
1010.410	Temporary Registration – Individual Transactions
1010.420	Temporary Permit Pending Registration In Illinois
1010.421	Issuance of Temporary Registration Permits by Persons or Entities Other Than the Secretary of State
1010.425	Non-Resident Drive-Away Permits
1010.426	Seven Day Permits
1010.430	Registration Plates for Motor Vehicles Used for Transportation of Persons for Compensation and Tow Trucks
1010.440	Title and Registration of Vehicles with Permanently Mounted Equipment
1010.450	Special Plates
1010.451	Purple Heart License Plates
1010.452	Special Event License Plates
1010.453	Retired Armed Forces License Plates
1010.454	Gold Star License Plates

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1010.455	Collectible License Plates
1010.456	Sample License Plates For Motion Picture and Television Studios
1010.457	Korean War Veteran License Plates
1010.458	Collegiate License Plates
1010.459	Universal Plate Decal
1010.460	Special Plates for Members of the United States Armed Forces Reserves
1010.463	Vanity and Personalized License Plate Criteria
1010.465	Requests for General Issuance Specialty License Plates
1010.470	Dealer Plate Records
1010.480	State of Illinois In-Transit Plates

SUBPART F: FEES

Section	
1010.510	Determination of Registration Fees
1010.520	When Fees Returnable
1010.530	Circuit Breaker Registration Discount
1010.540	Fees
1010.550	Determining Age of Vehicle

SUBPART G: MISCELLANEOUS

Section	
1010.610	Unlawful Acts, Fines and Penalties
1010.620	Change of Engine
1010.630	Extension of Expiration Dates

SUBPART H: SECOND DIVISION VEHICLES

Section	
1010.705	Reciprocity
1010.710	Vehicle Proration
1010.715	Proration Fees
1010.720	Vehicle Apportionment
1010.725	Trip Leasing
1010.730	Intrastate Movements, Foreign Vehicles
1010.735	Interline Movements
1010.740	Trip and Short-term Permits
1010.745	Signal 30 Permit for Foreign Registration Vehicles (Repealed)

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1010.750	Signal 30-Year-round for Prorated Fleets of Leased Vehicles (Repealed)
1010.755	Mileage Tax Plates
1010.756	Suspension or Revocation of Illinois Mileage Weight Tax Plates
1010.760	Transfer for "For-Hire" Loads
1010.765	Suspension or Revocation of Exemptions as to Foreign Registered Vehicles
1010.770	Required Documents for Trucks and Buses to detect "intrastate" movements
1010.775	Certificate of Safety
1010.APPENDIX A	Uniform Vehicle Registration Proration and Reciprocity Agreement
1010.APPENDIX B	International Registration Plan
1010.APPENDIX C	Affirmation Supporting Salvage Certificate
1010.APPENDIX D	Specialty License Plates Request Form
<u>1010.APPENDIX E</u>	<u>Acceptable Identification and Residency Documents – Title and Registration Transactions</u>

AUTHORITY: Authorized by Section 2-104(b), and implementing Chapters 3 and 5, of the Illinois Vehicle Code [625 ILCS 5] and Section 1.44 of the Statute on Statutes [5 ILCS 70].

SOURCE: Filed and effective December 15, 1970; emergency amendment at 2 Ill. Reg. 25, p. 119, effective June 14, 1978, for a maximum of 150 days; amended at 3 Ill. Reg. 12, p. 76, effective March 23, 1979; amended at 3 Ill. Reg. 29, p. 123, effective July 20, 1979; amended at 4 Ill. Reg. 17, p. 247, effective April 11, 1980; emergency amendment at 4 Ill. Reg. 21, p. 99, effective May 14, 1980, for a maximum of 150 days; amended at 6 Ill. Reg. 2241, effective February 1, 1982; amended at 6 Ill. Reg. 11076, effective August 26, 1982; codified at 6 Ill. Reg. 12674; amended at 7 Ill. Reg. 1432, effective January 21, 1983; amended at 7 Ill. Reg. 1436, effective January 21, 1983; amended at 8 Ill. Reg. 5329, effective April 6, 1984; amended at 9 Ill. Reg. 3358, effective March 1, 1985; amended at 9 Ill. Reg. 9176, effective May 30, 1985; amended at 9 Ill. Reg. 12863, effective August 2, 1985; amended at 9 Ill. Reg. 14711, effective September 13, 1985; amended at 10 Ill. Reg. 1243, effective January 6, 1986; amended at 10 Ill. Reg. 4245, effective February 26, 1986; amended at 10 Ill. Reg. 14308, effective August 19, 1986; recodified at 11 Ill. Reg. 15920; amended at 12 Ill. Reg. 14711, effective September 15, 1988; amended at 12 Ill. Reg. 15193, effective September 15, 1988; amended at 13 Ill. Reg. 1598, effective February 1, 1989; amended at 13 Ill. Reg. 5173, effective April 1, 1989; amended at 13 Ill. Reg. 7965, effective May 15, 1989; amended at 13 Ill. Reg. 15102, effective September 15, 1989; amended at 14 Ill. Reg. 4560, effective March 1, 1990; amended at 14 Ill. Reg. 6848, effective April 18, 1990; amended at 14 Ill. Reg. 9492, effective June 1, 1990; amended at 14 Ill. Reg. 19066, effective November 15, 1990; amended at 15 Ill. Reg. 12782, effective August 15, 1991; amended at 16 Ill. Reg. 12587, effective August 1, 1992; amended at 19 Ill. Reg. 11947, effective August 1, 1995; amended at 19 Ill. Reg. 16289, effective November 27, 1995; amended

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at 20 Ill. Reg. 11349, effective August 1, 1996; amended at 21 Ill. Reg. 8408, effective June 23, 1997; amended at 21 Ill. Reg. 13372, effective September 17, 1997; amended at 22 Ill. Reg. 8521, effective April 28, 1998; amended at 22 Ill. Reg. 22059, effective January 1, 1999; amended at 25 Ill. Reg. 7731, effective June 6, 2001; emergency amendment at 25 Ill. Reg. 14201, effective October 22, 2001, for a maximum of 150 days; emergency expired March 20, 2002; amended at 26 Ill. Reg. 14282, effective September 16, 2002; amended at 27 Ill. Reg. 4790, effective February 27, 2003; amended at 29 Ill. Reg. 8915, effective June 10, 2005; amended at 31 Ill. Reg. 2668, effective January 29, 2007; amended at 32 Ill. Reg. 17253, effective October 15, 2008; amended at 32 Ill. Reg. 17590, effective October 16, 2008; amended at 34 Ill. Reg. 3673, effective March 5, 2010; amended at 34 Ill. Reg. 10202, effective June 29, 2010; amended at 35 Ill. Reg. 1652, effective January 13, 2011; amended at 35 Ill. Reg. 8240, effective May 16, 2011; amended at 36 Ill. Reg. 7674, effective May 2, 2012; amended at 36 Ill. Reg. 14745, effective September 24, 2012; amended at 36 Ill. Reg. 17094, effective November 20, 2012; emergency amendment at 36 Ill. Reg. 17580, effective November 28, 2012, for a maximum of 150 days; amended at 37 Ill. Reg. 4340, effective March 22, 2013; amended at 37 Ill. Reg. 8941, effective June 14, 2013; amended at 37 Ill. Reg. 12578, effective July 17, 2013; amended at 39 Ill. Reg. 5106, effective March 20, 2015; amended at 42 Ill. Reg. 212, effective December 19, 2017; amended at 42 Ill. Reg. 14450, effective July 23, 2018; amended at 43 Ill. Reg. 3945, effective March 15, 2019; amended at 44 Ill. Reg. 2014, effective December 31, 2019; emergency amendment at 44 Ill. Reg. 5831, effective March 17, 2020, for a maximum of 150 days; emergency amendment to emergency rule at 44 Ill. Reg. 6641, effective April 9, 2020, for the remainder of the 150 days; emergency amendment effective March 17, 2020, as amended April 9, 2020, repealed at 44 Ill. Reg. 11595, effective June 30, 2020; emergency amendment at 44 Ill. Reg. 11890, effective June 30, 2020, for a maximum of 150 days; amended at 44 Ill. Reg. 16487, effective September 25, 2020; amended at 44 Ill. Reg. 17440, effective October 19, 2020; emergency amendment at 45 Ill. Reg. 1369, effective January 12, 2021, for a maximum of 150 days; amended at 45 Ill. Reg. 6054, effective April 22, 2021; emergency amendment at 45 Ill. Reg. 6794, effective May 6, 2021, for a maximum of 150 days; emergency amendment to emergency rule at 45 Ill. Reg. 6862, effective May 24, 2021 for the remainder of the 150 days; emergency rule as amended expired October 2, 2021; emergency amendment at 45 Ill. Reg. 11690, effective September 9, 2021, for a maximum of 150 days; emergency rule expired February 5, 2022; amended at 46 Ill. Reg. 1868, effective January 13, 2022; amended at 46 Ill. Reg. 2750, effective January 25, 2022; amended at 46 Ill. Reg. 4083, effective February 23, 2022; amended at 46 Ill. Reg. 4938, effective March 7, 2022; amended at 46 Ill. Reg. 16391, effective September 16, 2022; amended at 47 Ill. Reg. 3374, effective February 23, 2023; amended at 48 Ill. Reg. 9007, effective June 17, 2024; amended at 49 Ill. Reg. 1590, effective January 22, 2025; amended at 49 Ill. Reg. 10033, effective July 15, 2025; amended at 49 Ill. Reg. _____, effective _____.

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SUBPART B: TITLES

Section 1010.150 Transferring Certificates of Title Upon the Owner's Death

- a) This Section sets forth the required documentation to be submitted to the Vehicle Services Department within the Office of the Secretary of State to transfer decedents' certificates of title to vehicles. Upon the death of a vehicle owner, the procedure for transferring the vehicle title depends on whether the title was held individually by the decedent or held in joint tenancy. If the title was in the decedent's name only, the procedure depends on whether the decedent's estate is being probated. If the title was held jointly by the decedent and another person, the procedures in subsection (c) apply.
- b) **Original Title in Decedent's Name Only**

One of the following three procedures shall be used to transfer the decedent's title to an heir, legatee or any third party.

 - 1) **Probate**

If the decedent's estate is probated, the Secretary of State requires the following documents to transfer the decedent's certificate of title.

 - A) A certified copy of the letters of administration, letters testamentary, or letters of guardianship naming the legal representative of the decedent's estate.
 - B) The decedent's title must be surrendered, and it must be assigned by the legal representative of the estate to the transferee.
 - C) An application for title must be completed and signed by the transferee.
 - D) The applicant must submit the required \$3 title fee, any applicable registration fees, and proof of compliance with, or exemption from, the Vehicle Use Tax (see 86 Ill. Adm. Code 151).
 - 2) **Small ~~Estate~~~~Estates~~ Affidavit**

A Small ~~Estate~~~~Estates~~ Affidavit can be used to transfer the decedent's certificate of title if the conditions of Section 25-1 of the Probate Act of 1975 [755 ILCS 5] are satisfied, the estate was not probated, and the

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following documents are submitted to the Secretary of State.

- A) A Small ~~Estate~~~~Estates~~ Affidavit describing the vehicle by model year, make, and vehicle identification number. If the vehicle owner dies on or after September 16, 1985, a copy of the death certificate must be attached.
 - B) A certified copy of the will if the vehicle owner died testate.
 - C) The decedent's title must be surrendered.
 - D) An application for title must be completed and signed by the transferee.
 - E) The applicant must submit the required \$3 title fee, any applicable registration fees, and proof of compliance with, or exemption from, the Vehicle Use Tax.
- 3) Attorney's Affidavit
- The Attorney's Affidavit can be used to transfer the decedent's certificate of title if the following documents are submitted.
- A) Attorney's Affidavit on the attorney's letterhead stationery, stating:
 - i) The name and last address of the decedent.
 - ii) The model year, make and vehicle identification number of the vehicle.
 - iii) To whom the vehicle is being transferred and the relationship between the transferee and the decedent, if any.
 - B) A copy of the death certificate.
 - C) The decedent's title must be surrendered.
 - D) An application for title must be completed and signed by the transferee.

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- E) The applicant must submit the required \$3 title fee, any applicable registration fees, and proof of compliance with, or exemption from, the Vehicle Use Tax.
- c) Original Title Held Jointly in Decedent's and Surviving Joint Tenant's Names
- 1) If the title applicant is the surviving joint tenant, the following documents are required to correct the title.
 - A) A copy of the death certificate.
 - B) The original title must be surrendered but need not be assigned.
 - C) An application for a corrected title to remove the decedent's name from the original title.
 - D) If the applicant plans to operate the vehicle, the applicant must submit an application to correct the registration. A current registration shall be assigned to the surviving joint tenant.
 - E) The applicant must submit the required \$3 title fee and, if applicable, the \$2 corrected registration fee.
 - 2) If the surviving joint tenant chooses to transfer the vehicle to a third party, the following documents are required to transfer title.
 - A) A copy of the death certificate.
 - B) The original title must be assigned by the surviving tenant to the transferee.
 - C) An application for title must be completed and signed by the transferee.
 - D) The applicant must submit the required \$3 title fee and show proof of compliance with, or exemption from, the Vehicle Use Tax.
 - E) If the transferee intends to operate the vehicle upon the public highways, the transferee must pay the applicable registration fees.

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The application for title will serve as an application for registration.

d) Beneficiary Designated on Title

1) Requirements to register a beneficiary on the Illinois certificate of title:

- A) The Illinois title must be registered as a sole owner with no lienholder.
- B) The vehicle owner must be an individual and not a business (this business prohibition includes governmental bodies and lessees).
- C) Titles showing a lienholder, lessor, or titled as joint tenancy (title held jointly by more than one person) may not carry a transfer on death beneficiary.
- D) Only one beneficiary is allowed on the Illinois title.
- E) A business can be listed as a beneficiary; however, ownership of the vehicle may not be reassigned to the business upon death of the legal owner if the business is dissolved or no longer exists as an entity at the time of the business beneficiary's application for title.
- F) A notarized Beneficiary Affidavit will be required to apply for a title reflecting a beneficiary.
- G) Ownership of the vehicle passes to the beneficiary upon death of the legal owner. The beneficiary must apply for a new title to complete the process. The beneficiary does not have rights to the deceased owner's plate registration. The new owner must obtain a new registration in order to drive the vehicle on public streets.
- H) The signature or consent of the beneficiary shall not be required for any transaction relating to the motor vehicle or trailer for which a certificate of title with beneficiary has been issued.
- I) The beneficiary may be changed at any time before death of a sole owner only by the following methods:

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- i) The registered owner may sell the motor vehicle before his or her death. With the proper reassignment and delivery of the certificate of ownership to another person.
 - ii) By filing an application for corrected title to reissue the certificate of ownership with no designation of a beneficiary or with the designation of a different beneficiary, along with the notarized affidavit of beneficiary and applicable fee for corrected title.
- J) Upon the death of the sole owner of the vehicle when a beneficiary has been established on a certificate of title, the beneficiary may not be changed or revoked by a will, any other instrument, or a change in circumstances, or otherwise be changed or revoked, except by a court of law.
- K) If a beneficiary is deceased before the owner, then upon the death of the owner, the motor vehicle or trailer shall be included in the probate estate of the deceased owner. The death certificate for the owner and beneficiary will be required at time of application for title.
- 2) Requirements for requesting a new title with a beneficiary after the sole owner has become deceased. The following documents are required:
 - A) An application for title and registration, along with applicable fees. A beneficiary applicant may choose not to request registration; however, the beneficiary does not have rights to the deceased plate registration.
 - B) A Beneficiary Claim Form to claim beneficiary rights.
 - C) The decedent's certificate of title must be surrendered.
 - D) A copy of the decedent's death certificate.
 - E) The appropriate tax form and check payable to the Illinois Department of Revenue.

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- 3) If the beneficiary does not want to take possession of the vehicle after death of the sole owner, the beneficiary must title the vehicle under their name before selling the vehicle to another person.
- 4) If the beneficiary listed is not an Illinois resident, the beneficiary may title the vehicle in their state of residency with the death certificate.
- 5) If the executor cannot locate the beneficiary upon death of the vehicle owner, the executor will be required to complete a notarized Unable to Locate Beneficiary Affidavit stating the fact that they have exhausted all resources to locate the beneficiary.

ed) Miscellaneous

- 1) If the original title is lost, an affidavit explaining that the title cannot be located must be submitted by the transferor.
- 2) Surviving joint tenants and surviving spouses need not pay vehicle registration fees until the current registration expires. If the surviving spouse is not listed as a joint tenant on the decedent's title, a copy of the death certificate is required to show the marital relationship.
- 3) Title and registration fees may be combined in one check, electronic payment or money order made payable to the Secretary of State. Applicable title, registration and transfer fees are set forth in IVC Chapter 3 [625 ILCS 5].
- 4) Transferees who do not operate the vehicle upon the public highways need not apply for registration at the time of acquisition. (See 92 Ill. Adm. Code 1010.510.)
- 5) Proof of compliance with the Vehicle Use Tax shall consist of the Illinois Department of Revenue form RUT 50, or such other form used by that agency.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1010.185 Specially Constructed Vehicles - Required Documentation for Title and

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Registration

- a) The following shall be forwarded to the Office of the Secretary of State:
 - 1) A statement detailing how the vehicle was constructed, which must include the origin, make, model, year and identification numbers of the major component parts (as defined in Section 1010.180) used to construct the specially constructed vehicle.
 - 2) The ownership document of the first make used to assemble the chassis, frame, or other major component parts.
 - A) For the purpose of this Section, "first make" means the manufacturer make of the chassis, frame, or other major component part used to construct the specially constructed vehicle, unless the part is manufactured by someone other than the recognized automobile, motorcycle or kit manufacturer or the part is without the assigned vehicle identification number. Ownership documents include the following:
 - i) assigned Manufacturer's Certificate of Origin, or
 - ii) assigned certificate of title, or
 - iii) assigned salvage certificate, or
 - iv) assigned junking certificate, or
 - v) copy of certificate of title in the name of the applicant for the specially constructed vehicle, or
 - vi) copy of salvage certificate in the name of the applicant for the specially constructed vehicle, or
 - vii) copy of junking certificate in the name of the applicant for the specially constructed vehicle.
 - B) If the frame is a part of the new kit assembly and only other major component parts from the original vehicle are being used to

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construct the vehicle, a copy of one of the above items is required. The copy must show the vehicle properly assigned to the applicant. Bills of sale or an affirmation statement may be submitted for the major component parts. The bill of sale/affirmation statement must include the year, make and vehicle identification number.

- C) A specially constructed vehicle shall not use a frame acquired from a vehicle for which a junk certificate has been issued. Any vehicle constructed with a frame acquired from a junk vehicle is ineligible for title and registration as specially constructed vehicle.~~If the ownership document of the major component parts used to assemble the first and second make (as defined in subsection (d)) of the specially constructed vehicle are supported by junking certificates, the major component parts used to assemble the first and second make must be from two or more different vehicles of a different year, make or model, which contain two or more different vehicle identification numbers.~~

- 3) If the frame/body is constructed from various materials or the major component parts are from various materials/vehicles, bills of sale for those materials. An affirmation statement indicating the frame or major component parts were built from materials the applicant had previously owned may be submitted in lieu of bills of sale. The bill of sale/affirmation statement must include the year, make and the vehicle identification number. The frame year and make will be considered as the physical year of application and reflect "SPECIALY CONSTRUCTED" as the make.
- 4) The ownership document of the second make used to assemble the body, car kit, glider kit, motorcycle kit, or motorcycle major component parts.
- A) For the purpose of this ~~subsection~~Section, "second make" means the manufacturer make of the body, car kit, glider kit, motorcycle kit or motorcycle major component parts used to construct the specially constructed vehicle. Ownership documents include:
- i) Assigned Manufacturer's Certificate of Origin, or
 - ii) assigned copy of certificate of title, or

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- iii) assigned copy of salvage certificate, or
 - iv) assigned copy of junking certificate, or
 - v) copy of certificate of title in the name of the applicant for the specially constructed vehicle, or
 - vi) copy of salvage certificate in the name of the applicant for the specially constructed vehicle, or
 - vii) copy of junking certificate in the name of the applicant for the specially constructed vehicle, or
 - viii) bills of sale for parts to build body portion. These must include the year, make and the vehicle identification number.
- B) If the above ownership documents cannot be furnished by the owner, the specially constructed vehicle may be issued a certificate of title in accordance with Section 3-109 of the Illinois Vehicle Code. Bonding includes those cases in which an owner builds a vehicle from different materials and can neither furnish ownership documents nor identify the specific model year. Specially constructed vehicles which must be bonded will be issued a certificate of title with the make as "SPECIALLY CONSTRUCTED" and reflect only the Secretary of State assigned vehicle identification number. The year model will be determined according to the date of application.
- 5) An application for certificate of title and ~~or~~ registration accompanied by the appropriate fees.
 - 6) Illinois sales tax or vehicle use tax, if applicable.
 - 7) Three pictures of the completed vehicle, from the front, side and rear.
- b) Upon approval of the documentation provided, the Secretary of State Department of Police, at their discretion, may inspect the vehicle to ascertain whether all

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safety items have been installed and are operating properly, and whether the vehicle contains any stolen parts.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

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Section 1010.APPENDIX E Acceptable Identification and Residency Documents – Title and Registration Transactions

- a) Identification. Any vehicle-related transaction that alters or creates a vehicle record or any portion of a vehicle record must be accompanied by at least one form of government-issued photo identification as follows:
- 1) Driver's License or Identification Card issued by an agency of the U.S. government;
 - 2) Illinois Driver's License (current or expired less than one year);
 - 3) Illinois Identification Card (current or expired less than one year);
 - 4) Out-of-State Driver's License or Identification Card (current);
 - 5) Passport (valid U.S. or foreign) or Matricula;
 - 6) Temporary Driver's License, Commercial Learner's Permit, or Identification Card;
 - 7) U.S. Citizenship and Immigration Services (USCIS) Forms:
 - A) I-551 (Permanent Resident Card);
 - B) I-571 (Refugee Travel Document);
 - C) I-766 (Employment Authorization Card); and
 - D) I-94 (Arrival/Departure Record) with Valid Passport;
 - 8) U.S. Department of State Travel Letter (Refugees);
 - 9) U.S. Military Driver's License or Identification Card;
 - 10) U.S. Visa; or
 - 11) Any other acceptable form of identification in the discretion of the Secretary of State.

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- b) Residency. Any vehicle-related transaction requiring proof of address must be accompanied by one document containing the applicant's full name and full residential address as follows. If the transaction specifically requires proof of Illinois residency, such documentation shall only be acceptable to that extent:
- 1) Any item listed in subsection (a) that contains the applicant's full name and full residential address is acceptable as proof of residency;
 - 2) Bank Statement (dated within 90 days prior to application);
 - 3) Cancelled Check (dated within 90 days prior to application);
 - 4) Certified Grade/High School/College/University Transcript;
 - 5) Credit Report issued by a credit reporting bureau – dated within 12 months prior to application;
 - 6) Deed/Title, Mortgage, Rental/Lease Agreement;
 - 7) Insurance Policy (Homeowner's or Renter's);
 - 8) Letter on Official School Letterhead – dated within 90 days prior to application;
 - 9) Medical claim or statement of benefits from private insurance company or public (government) agency, dated within 90 days prior to application;
 - 10) Official mail received from a state, county, city or village, or a federal governmental agency that includes first and last name of the applicant and complete current address. This may include, but is not limited to:
 - A) Homestead Exemption Receipt;
 - B) Jury Duty Notice issued within 90 days prior to application;
 - C) Selective Service Card; (iv) Social Security Annual Statement;
 - D) Social Security Disability Insurance (SSDI) Statement; and

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E) Supplemental Security Income (SSI) Benefits Statement;

11) Voter Registration Card;

12) Pay Stub or Electronic Deposit Receipt;

13) Pension or Retirement Statement;

14) Phone book currently produced by a phone book publisher;

15) Report Card from Elementary, Middle or Secondary School, or College/University;

16) Tuition invoice or other official mail from a college or university dated within the 12 months prior to application; or

17) Utility Bill – electric, water, refuse, telephone (land or cell), cable or gas, issued within 90 days prior to application;

c) Unacceptable Documentation. Unacceptable identification documents include, but are not limited to:

1) Bond Receipt or Bail/Bond Card;

2) Business Cards;

3) Check Cashing Cards;

4) Club or Fraternal Membership Cards;

5) College or University Identification Cards;

6) Commercially Produced (non-State or unofficial) ID Cards;

7) DHS (Department of Human Services) Cards or documents issued by DHS;

8) Fishing License;

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- 9) HFS (Healthcare and Family Services) Cards;
- 10) Handwritten ID or Employment Cards;
- 11) Hunting License;
- 12) Illinois Concealed Carry Card ;
- 13) Illinois FOID Card;
- 14) Instruction Permit/Receipts;
- 15) Insurance Card;
- 16) Library Card;
- 17) Personal Mail;
- 18) Traffic Citation (Arrest Ticket);
- 19) Video Club Membership Cards;
- 20) Wallet IDs; and
- 21) Unlicensed Financial Institution Loan Papers.

(Source: Added at 49 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Real Estate Transfer Tax
- 2) Code Citation: 86 Ill. Adm. Code 120
- 3) Section Number: 120.5 Adopted Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Section 31-70 of the Property Tax Code [35 ILCS 200/31-70].
- 5) Effective Date of Rule: September 18, 2025
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the Adopted Rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in *Illinois Register*: 49 Ill. Reg. 5889; May 2, 2025
- 10) Has JCAR issued a Statement of Objections to this rulemaking? No
- 11) Differences between proposal and final version: No material change. A formatting change required by JCAR in its Second Notice Changes has been made (added "B" before "Electronically-produced" in Section 120.5(c)(4) dividing what was subsection (c)(4)(A) into subsections (c)(4)(A) and (B)).
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rule: Section 120.5 will be amended to provide that electronic signatures affixed to electronically transmitted transfer declarations are as legally binding as handwritten signatures. It will eliminate unnecessary language describing forms for transfers that occurred prior to 2000 and between 2000 and 2004. The rulemaking will

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update the rule to comport with the Department's technology in allowing recorders of deeds to utilize an approved interface to electronically transfer declarations and order transfer stamps from the Department for recording in the county offices. This rulemaking will require county assessment offices utilizing the Department's electronic transfer declaration system to provide a file layout to both validate the information transmitted and for any other purpose as determined by the Department. Section 120.5 will be further amended to provide that in the event that a transfer qualifies for an exemption under both Section 31-45(e) and 31-45(b), then the Section 31-45(e) exemption shall be selected, and no transfer declaration or supplemental information shall be required. In such case, a notation of exempt status must appear on the face of the deed, document transferring a controlling interest in real property, or trust document. The rulemaking is necessary to comply with P.A. 103-0963 which amended Article 31 of the Property Tax Code (Real Estate Transfer Tax Law) requiring returns and forms to be filed using an electronic system prescribed by the Department and for taxes to be electronically remitted to the Department via a debit payment or ACH credit. The proposed rules impose these provisions.

16) Information and questions regarding this adopted rule shall be directed to:

Laurence Mraz
Associate Counsel
Legal Services Office
Illinois Department of Revenue
101 West Jefferson
Springfield, Illinois 62794

(217) 524-4821
REV.GCO@illinois.gov

The full text of the Adopted Amendment begins on the next page:

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TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUEPART 120
REAL ESTATE TRANSFER TAX

Section

120.5	Transfer Declaration and Supplemental Information
120.10	Procedures for Revenue Stamp Sales to Counties
120.20	Legal and Technical Interpretations

AUTHORITY: Implementing and authorized by Section 31-70 of the Property Tax Code [35 ILCS 200/31-70].

SOURCE: Filed and effective August 26, 1971; codified at 8 Ill. Reg. 11465; amended at 9 Ill. Reg. 7938, effective May 14, 1985; amended at 18 Ill. Reg. 12849, effective August 9, 1994; amended by emergency rulemaking at 23 Ill. Reg. 14765, effective December 9, 1999, for a maximum of 150 days; emergency expired May 6, 2000; amended at 24 Ill. Reg. 8607, effective June 9, 2000; emergency amendment at 28 Ill. Reg. 7608, effective June 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 14155, effective October 13, 2004; amended at 40 Ill. Reg. 16225, effective December 8, 2016; amended at 49 Ill. Reg. 12473, effective September 18, 2025.

Section 120.5 Transfer Declaration and Supplemental Information

- a) ~~At Prior to June 1, 2004, at~~ the time a deed, a document transferring a controlling interest in real property, or trust document is presented for recordation or registration, a transfer declaration and supplemental information, if applicable, shall be prepared as required by the Department in a manner consistent with the requirements of subsection (c) below and submitted to the recorder of deeds or registrar of titles of the county in which the property is situated; under Section 31-25 of the Property Tax Code [35 ILCS 200/31-25]. No transfer declaration or supplemental information is required to be prepared and submitted to the recorder of deeds or registrar of titles if the transfer qualifies for an exemption under Section 31-45(a), (b) (but only for transfers in which the Secretary of the U.S. Department of Veterans Affairs (VA Secretary) is the grantee pursuant to a foreclosure proceeding), (c), (d), (e), (f), (g), (h), (i), (j), or (l) of the Property Tax Code, but a notation of exempt status must appear on the face of the deed, document transferring a controlling interest in real property, or trust document. If

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the transfer qualifies for an exemption under Section 31-45(b) (for all transfers except those in which the VA Secretary is the grantee pursuant to a foreclosure proceeding), (k), or (m) of the Property Tax Code, a transfer declaration and supplemental information, if applicable, shall be prepared and submitted to the recorder of deeds or registrar of titles. If a transfer qualifies for an exemption under both Section 31-45(e) and 31-45(b), then the Section 31-45(e) exemption shall be selected, and no transfer declaration or supplemental information shall be required. In such case, a notation of exempt status must appear on the face of the deed, document transferring a controlling interest in real property, or trust document.

- b) ~~At~~On and after June 1, 2004, at the time a deed or document relating to the transfer of a taxable beneficial interest under Article 31 of the Property Tax Code is presented for recordation or registration, or within three business days after a transfer is effected in the event a transferring document is not presented for recordation or registration, a transfer declaration and supplemental information, if applicable, shall be prepared as required by the Department in a manner consistent with the requirements of subsection (c) and submitted to the recorder or registrar of titles of the county in which the property is situated; under Section 31-25 of the Property Tax Code. However, preparation of a second transfer declaration or supplemental information shall not be required in the event any such unrecorded transferring document is subsequently presented for recordation or registration unless the transferor cannot prove prior payment of the tax for the transaction. No transfer declaration or supplemental information is required to be prepared and submitted to the recorder of deeds or registrar of titles if the transfer qualifies for an exemption under Section 31-45(a), (b) (but only for transfers in which the VA Secretary is the grantee pursuant to a foreclosure proceeding), (c), (d), (e), (f), (g), (h), (i), (j), or (l) of the Property Tax Code, but a notation of exempt status must appear on the face of the transferring document. If the transfer qualifies for an exemption under Section 31-45(b) (for all transfers except those in which the VA Secretary is the grantee pursuant to a foreclosure proceeding), (k), or (m) or Section 31-46 of the Property Tax Code, a transfer declaration and supplemental information, if applicable, shall be prepared and submitted to the recorder of deeds or registrar of titles. If a transfer qualifies for an exemption under both Section 31-45(e) and 31-45(b), then the Section 31-45(e) exemption shall be selected, and no transfer declaration or supplemental information shall be required. In such case, a notation of exempt status must appear on the face of the transferring document.

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- c) A transfer declaration and supplemental information shall be prepared using paper versions of forms or electronically produced~~electronically produced paper~~ versions thereof approved by the Department as follows:

1) Preparation procedures:

- A) Paper versions of forms shall be available on the Department of Revenue's website. The forms may be prepared on the website and printed by the preparer~~at the office of the recorder of deeds or registrar of titles in every county. These forms shall be supplied by the Department to the recorder of deeds and registrar of titles.~~
- B) All applicable questions on the forms shall be answered completely and the forms shall be signed by the transferee and transferor, or their agents, and the preparer.
- C) If a transfer declaration and all supplemental information, if applicable, is not prepared and submitted, or is prepared and submitted without all applicable questions being answered completely and the transfer declaration being properly signed, the recorder of deeds or registrar of titles shall not sell Revenue Stamps or record or register the transferring document.
- D) Electronic signatures used in lieu of a written signature and affixed to electronic versions of transfer declarations legally binds, obligates, and makes the signer responsible to the same extent as the signer's handwritten signature would be on a paper document submitted to satisfy the same requirement.

2) Transfer declarations:

- A) At the time a deed, a document transferring a controlling interest in real property, or trust document is presented for recordation a~~For transfers prior to January 1, 2000, if a transfer declaration was prepared prior to January 1, 2000,~~ Form No. PTAX-203, Illinois Real Estate Transfer Declaration ~~(a four-page document with a green first page and with a (R-4/94) designation in the lower left corner of the first page),~~ or the appropriate succeeding~~predecessor~~ version in effect at the time of transfer, shall be prepared and

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submitted.

~~B)~~ For transfers prior to January 1, 2000, if a transfer declaration was not prepared prior to January 1, 2000, Form No. PTAX-203, Illinois Real Estate Transfer Declaration (a white two-page document with a (R-8/99) designation in the lower left corner of the first page), or the appropriate succeeding version in effect at the time of transfer, shall be prepared and submitted.

~~C)~~ For transfers on and after January 1, 2000, Form No. PTAX-203, Illinois Real Estate Transfer Declaration (a white two-page document with a (R-8/99) designation in the lower left corner of the first page), or the appropriate succeeding version in effect at the time of transfer, shall be prepared and submitted.

~~B)~~ D) If multiple deeds or trust documents are used to transfer real estate or beneficial interests in real property, a transfer declaration shall be prepared and submitted for each transferring document reflecting the particular interest being transferred.

~~C)~~ E) If a transfer affects an interest in real estate that is located in more than one county, separate transfer declarations shall be prepared and submitted in each county. Each transfer declaration shall list the prorated full actual consideration for the particular interest in the real estate being transferred in the county. The proration is to be made in such a manner so that the total of the prorated full actual consideration listed on each transfer declaration equals the full actual consideration for the transfer.

~~D)~~ F) If there is an exchange of real estate, a separate transfer declaration shall be prepared and submitted for each transferring document.

~~E)~~ G) For purposes of this Section, "transfer" means execution of the transferring document.

3) Supplemental information:

~~A)~~ For transfers prior to January 1, 2000, if a transfer declaration was prepared prior to January 1, 2000, "supplemental information"

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~~includes, if applicable, an extended legal description accompanying Form No. PTAX-203, Real Estate Transfer Declaration (a four page document with a green first page and with a (R-4/94) designation in the lower left corner of the first page), or the appropriate predecessor version in effect at the time of transfer.~~

- B) ~~For transfers on and after January 1, 2000 and prior to June 1, 2004 if a transfer declaration was prepared prior to June 1, 2004, and transfers prior to January 1, 2000 if a transfer declaration was not prepared prior to January 1, 2000, "supplemental information" includes, if applicable, an extended legal description, an itemized list of personal property, a finance schedule for sales occurring during a period in which the Department is required to adjust sales prices for seller paid points and prevailing cost of cash under Section 17-10 of the Property Tax Code, and Form No. PTAX-203-A, Illinois Real Estate Transfer Declaration Supplemental Form A. Supplemental information shall accompany Form No. PTAX-203, Illinois Real Estate Transfer Declaration (a white two-page document with a (R-8/99) designation in the lower left corner of the first page), or the appropriate succeeding version in effect at the time of transfer.~~

- A)C) For transfer declarations~~transfers on and after June 1, 2004, and transfers on and after January 1, 2000 and prior to June 1, 2004 if a transfer declaration was not prepared prior to June 1, 2004,~~ "supplemental information" includes, if applicable, an extended legal description, an itemized list of personal property, a finance schedule for sales occurring during a period in which the Department is required to adjust sales prices for seller paid points and prevailing cost of cash under Section 17-10 of the Property Tax Code, Form No. PTAX-203-A, Illinois Real Estate Transfer Declaration Supplemental Form A, and Form No. PTAX-203-B, Illinois Real Estate Transfer Declaration Supplemental Form B. Supplemental information shall accompany Form No. PTAX-203, Illinois Real Estate Transfer Declaration (a white two-page document with a (R-7/00) designation in the lower left corner of the first page), or the appropriate succeeding version in effect at the time of transfer.

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~~B)D)~~ Form No. PTAX-203-A, Illinois Real Estate Transfer Declaration Supplemental Form A (a white one-page document with a (N-9/99) designation in the lower left corner of the first page), or the appropriate succeeding version in effect at the time of transfer, shall be prepared and submitted if the transfer involves nonresidential property for which the full actual consideration is over \$1 million. In this context only, nonresidential property includes all property except: vacant land or lots, residences, ~~and~~ apartment buildings of 6 units or fewer (e.g., single family, condominium, townhome, or duplex), mobile home residences, and farmland.

~~C)E)~~ Form No. PTAX-203-B, Illinois Real Estate Transfer Declaration Supplemental Form B (a white one-page document with a (N-5/04) designation in the lower left corner of the first page), or the appropriate succeeding version in effect at the time of transfer, shall be prepared and submitted if the transfer involves the lessee interest in a ground lease (including any interest of the lessee in the related improvements) that provides for a term of 30 or more years when all options to renew or extend are included, whether or not any portion of the term has expired, or the indirect interest in real property as reflected by a controlling interest in a real estate entity, or any other type of interest with the right to use or occupy real property or the right to receive income from real property under Section 120.20(a)(2)(D).

4) Electronically produced~~Electronically produced~~ forms:

~~A) For transfers on and after January 1, 2000, electronically produced versions of forms may be prepared on the internet Web site of the Department and printed on the preparer's printer. Forms submitted to the recorder of deeds or registrar of titles using this technology must conform to the content, edit, format, and reproduction specifications of the Department.~~

~~A)B)~~ Electronically~~For transfers on and after January 1, 2000, electronically~~-produced versions of forms may be prepared from other software programs for which the Department has tested and approved the output and printed on the preparer's printer. Forms

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submitted to the recorder of deeds or registrar of titles using this technology for which the Department has tested and approved the output must conform to the content, edit, format, and reproduction specifications of the Department.

- B) Electronically-produced versions of forms shall not be submitted to the recorder of deeds or registrar of titles if, without prior written approval of the Department, the software programs used to produce the forms have been revised in any manner since the time the Department tested and approved the output.
- d) Forms for the transfer declaration and supplemental information, as well as specifications and output testing requirements for electronically produced~~electronically-produced~~ versions, may be revised by the Department in its discretion.
- e) The Department may enter into a written agreement with the governing authority of a county to authorize the chief county assessment officer to electronically transmit data from the transfer declarations and supplemental information, if applicable, to the Department as required by Sections 31-30 and 31-70 of the Property Tax Code. Entry into such an agreement by the Department is contingent upon the use of compatible computer transmission methods and software by a county, the accuracy of the formatted electronic data from the transfer declarations and any supplemental information, and the adequacy of resources at the Department. The chief county assessment officer shall continue to submit the paper versions of the transfer declarations and any supplemental information until such time as the Department determines in its discretion that submission in this manner is no longer necessary.
- f) Supervisors of assessments, utilizing the Department of Revenue's electronic transfer declaration system, must produce a parcel identification number file and provide it to the Department in the required file layout to validate the information provided therein and for any other purposes as determined by the Department.
- g)~~f)~~ Recorders of deeds or registrars of titles using an electronic Revenue Stamp or alternative indicia using the Department of Revenue's electronic reporting system or an approved interface with the Department of Revenue shall file a return generated by the Department of Revenue's electronic reporting system or an approved interface with the Department of Revenue. This return is to be filed and

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paid via ACH credit [or a debit payment](#) with the Department of Revenue on or before the 10th day of the month following the month in which the tax was required to be collected.

- 1) The return shall be generated from the Department of Revenue's electronic reporting system and/or through the approved interface with a recorder of deeds' or registrar of titles' electronic software system and shall include the following detail: county name; account ID; license number; declaration IDs; stamp serial numbers; and stamp values.
- 2) The recorder of deeds or registrar of titles shall work with personnel within the county to produce a parcel identification number file and shall provide it to the Department of Revenue in the required file layout. The detail contained within the parcel identification number file is used in the process to validate that an electronic Revenue Stamp is properly issued.
- 3) When the recorder of deeds or registrar of titles interfaces with the Department of Revenue's electronic reporting system utilizing a software system, the following detail is to be provided: the parcel identification number of the property being transferred in the real estate sales transaction; the document number used to record the real estate sales transaction; and the net consideration that was received by the seller in the real estate sales transaction.

(Source: Amended at 49 Ill. Reg. 12473, effective September 18, 2025)

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Procedures
- 2) Code Citation: 92 Ill. Adm. Code 107
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

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SUBCHAPTER c

PART 107

Section Numbers:

SUBPART A:

107.1000

107.1010

107.1020

107.1030

107.1040

107.1050

107.1060

SUBPART B:

107.1100

107.1110

107.1120

107.1130

107.1140

107.1150

107.1160

107.1170

107.1180

107.1190

107.1200

107.1210

107.1220

107.1230

DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS
TRANSPORTATION REGULATIONS
PROCEDURES

Headings:

GENERAL PROVISIONS

Purpose and Scope

Definitions

Incorporation by Reference

Request for Confidential Treatment

Persons Holding Federal Exemptions

Service

Subpoenas

ENFORCEMENT

Responsibility for Enforcement

Purpose and Scope

Investigations

Inspection and Examination of Records and
Properties

Notice of Apparent Violation

Stopping of Vehicles

Department Review of Notice of Apparent
Violation

Warning Letter

Civil Penalties Generally

Maximum Penalties

Commencement of Civil Penalty Proceeding

Reply

Payment of Penalty

Request for Hearing

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

107.1240	Hearing
107.1250	Presiding Officer's Decision
107.1260	Assessment Considerations
107.1270	Appeal
107.1280	Failure to Pay Civil Penalty
107.1290	Compliance Orders Generally
107.1300	Notice of Probable Violation
107.1310	Reply
107.1320	Consent Order
107.1330	Hearing
107.1340	Presiding Officer's Decision
107.1350	Compliance Order For Immediate Compliance
107.1360	Appeal
107.1370	Injunctions and Other Equitable Relief
107.1380	Imminent Hazards
107.1390	Criminal Penalties Generally
107.1400	Referral for Prosecution
107.APPENDIX A	Standard Conditions Applicable to Exemptions, Packages, Containers, Shipments

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 107 "Procedures" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3000.

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Hazardous Materials Civil Money Penalty Policy
- 2) Code Citation: 92 Ill. Adm. Code 108
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

CHAPTER I
SUBCHAPTER c

PART 108

Section Numbers:

108.10

108.APPENDIX A

DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS
TRANSPORTATION REGULATIONS
HAZARDOUS MATERIALS CIVIL MONEY
PENALTY POLICY

Headings:

Hazardous Materials Civil Money Penalty Policy
Guidelines For the Assessment of Civil Money
Penalties Under the Illinois Hazardous Materials
Transportation Act and Regulations

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 108 "Hazardous Materials Civil Money Penalty Policy" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3020.

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Hazardous Materials Transportation Regulations
- 2) Code Citation: 92 Ill. Adm. Code 171
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

CHAPTER I
SUBCHAPTER c

PART 171

DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS
TRANSPORTATION REGULATIONS
HAZARDOUS MATERIALS
TRANSPORTATION REGULATIONS

Section Numbers:

171.1
171.2
171.3
171.4
171.5
171.6
171.7
171.8
171.9
171.12
171.13
171.14
171.15
171.17
171.18

171.21
171.22
171.1000

Headings:

Purpose and Scope (Repealed)
General Transportation Requirements (Repealed)
Hazardous Waste (Repealed)
Exemptions (Renumbered)
Agricultural Exception (Repealed)
Agricultural Exception (Renumbered)
Matter Incorporated by Reference (Repealed)
Definitions and Abbreviations (Repealed)
Rules of Construction (Repealed)
Import and Export Shipments (Repealed)
Imminent Hazard
Specification Markings (Repealed)
Incident Reporting Requirements (Repealed)
Special Permits
Continuation of Effectiveness of Existing Bureau of
Explosives Registrations (Repealed)
Retailer Exception
Agricultural Exceptions
Incorporation by Reference of 49 CFR 171

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 171 "Hazardous Materials Transportation Regulations" is transferred from the authority

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of the Illinois Department of Transportation to the authority of the Illinois State Police and
recodified at 92 Ill. Adm. Code 3040.

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Hazardous Materials Table and Hazardous Materials Communications
- 2) Code Citation: 92 Ill. Adm. Code 172
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

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SUBCHAPTER c

PART 172

DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS
TRANSPORTATION REGULATIONS
HAZARDOUS MATERIALS TABLE AND
HAZARDOUS MATERIALS
COMMUNICATIONS

Section Numbers:

172.1000

172.2000

172.2215

Headings:

General

Incorporation by Reference of 49 CFR 172

Permanent Shipping Papers (Repealed)

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 172 "Hazardous Materials Table and Hazardous Materials Communications" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3060.

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Shippers General Requirements for Shipments and Packagings
- 2) Code Citation: 92 Ill. Adm. Code 173
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

CHAPTER I
SUBCHAPTER c

PART 173

DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS
TRANSPORTATION REGULATIONS
SHIPPERS GENERAL REQUIREMENTS FOR
SHIPMENTS AND PACKAGINGS

Section Numbers:

173.2000

173.3000

Headings:

General

Incorporation by Reference of 49 CFR 173

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 173 "Shippers General Requirements for Shipments and Packagings" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3080.

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Carriage By Public Highway
- 2) Code Citation: 92 Ill. Adm. Code 177
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

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PART 177

Section Numbers:
177.1000
177.2000

DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS
TRANSPORTATION REGULATIONS
CARRIAGE BY PUBLIC HIGHWAY

Headings:
General
Incorporation by Reference of 49 CFR 177

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 177 "Carriage By Public Highway" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3100.

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Specifications For Packagings
- 2) Code Citation: 92 Ill. Adm. Code 178
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

CHAPTER I
SUBCHAPTER c

PART 178

Section Numbers:

178.100

178.200

DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS
TRANSPORTATION REGULATIONS
SPECIFICATIONS FOR PACKAGINGS

Headings:

General

Incorporation by Reference of 49 CFR 178

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 178 "Specifications For Packagings" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3120.

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Specifications For Tank Cars
- 2) Code Citation: 92 Ill. Adm. Code 179
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

CHAPTER I
SUBCHAPTER c

PART 179

Section Numbers:
179.1000
179.2000

DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS
TRANSPORTATION REGULATIONS
SPECIFICATIONS FOR TANK CARS

Headings:
General
Incorporation By Reference of 49 CFR 179

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 179 "Specifications For Tank Cars" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3140.

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Continuing Qualification and Maintenance of Packaging
- 2) Code Citation: 92 Ill. Adm. Code 180
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

CHAPTER I
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PART 180

DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS
TRANSPORTATION REGULATIONS
CONTINUING QUALIFICATION AND
MAINTENANCE OF PACKAGING

Section Numbers:

180.1000

180.2000

Headings:

General

Incorporation by Reference of 49 CFR 180

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 180 "Continuing Qualification and Maintenance of Packaging" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3160.

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Procedures for Transportation Workplace Drug and Alcohol Testing Programs
- 2) Code Citation: 92 Ill. Adm. Code 340
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

CHAPTER I
SUBCHAPTER d
PART 340

DEPARTMENT OF TRANSPORTATION
MOTOR CARRIER SAFETY REGULATIONS
PROCEDURES FOR TRANSPORTATION
WORKPLACE DRUG AND ALCOHOL
TESTING PROGRAMS

Section Numbers:
340.1000
340.1010

Headings:
Purpose
Incorporation by Reference of 49 CFR 40

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 340 "Procedures for Transportation Workplace Drug and Alcohol Testing Programs" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3180.

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Special Training Requirements
- 2) Code Citation: 92 Ill. Adm. Code 380
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

CHAPTER I
SUBCHAPTER d
PART 380

DEPARTMENT OF TRANSPORTATION
MOTOR CARRIER SAFETY REGULATIONS
SPECIAL TRAINING REQUIREMENTS

Section Numbers:

380.1000
380.1010
380.1020

Headings:

Purpose
Definitions
Incorporation by Reference of 49 CFR 380

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 380 "Special Training Requirements" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3200.

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Controlled Substance and Alcohol Use and Testing
- 2) Code Citation: 92 Ill. Adm. Code 382
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

CHAPTER I
SUBCHAPTER d
PART 382

DEPARTMENT OF TRANSPORTATION
MOTOR CARRIER SAFETY REGULATIONS
CONTROLLED SUBSTANCE AND ALCOHOL
USE AND TESTING

Section Numbers:
382.1000
382.1010

Headings:
Purpose and Applicability
Incorporation by Reference of 49 CFR 382

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 382 "Controlled Substance and Alcohol Use and Testing" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3220.

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Commercial Driver's License Standards; Requirements and Penalties
- 2) Code Citation: 92 Ill. Adm. Code 383
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

CHAPTER I
SUBCHAPTER d
PART 383

DEPARTMENT OF TRANSPORTATION
MOTOR CARRIER SAFETY REGULATIONS
COMMERCIAL DRIVER'S LICENSE
STANDARDS; REQUIREMENTS AND
PENALTIES

Section Numbers:

383.1000

383.1010

Headings:

Purpose and Applicability

Incorporation by Reference of 49 CFR 383

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 383 "Commercial Driver's License Standards; Requirements and Penalties" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3240.

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Safety Fitness Procedures
- 2) Code Citation: 92 Ill. Adm. Code 385
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

CHAPTER I
SUBCHAPTER d
PART 385

DEPARTMENT OF TRANSPORTATION
MOTOR CARRIER SAFETY REGULATIONS
SAFETY FITNESS PROCEDURES

Section Numbers:

SUBPART A:

385.1000

385.1010

385.1020

SUBPART B:

385.2000

Headings:

GENERAL REQUIREMENTS

Purpose

Definitions

Unsatisfactory Rated Motor Carriers

HAZARDOUS MATERIALS SAFETY PERMITS
AND INTERMODAL EQUIPMENT PROVIDERSIncorporation by Reference of 49 CFR 385,
subpart E and subpart F

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 385 "Safety Fitness Procedures" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3260.

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Procedures and Enforcement
- 2) Code Citation: 92 Ill. Adm. Code 386
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

CHAPTER I
SUBCHAPTER d
PART 386

DEPARTMENT OF TRANSPORTATION
MOTOR CARRIER SAFETY REGULATIONS
PROCEDURES AND ENFORCEMENT

Section Numbers:

SUBPART A:

386.1000

386.1010

386.1020

386.1030

386.1035

SUBPART B:

386.1040

386.1050

386.1060

386.1070

386.1080

386.1090

386.1110

386.1120

386.1130

386.1140

386.1150

386.1160

386.1170

386.1180

386.1190

386.1200

386.1210

SUBPART C:

386.1300

Headings:

GENERAL PROVISIONS

Scope

Definitions

Service

Subpoenas

Incorporation by Reference

ENFORCEMENT

Responsibility for Enforcement

Investigations

Inspection of Records and Motor Vehicles

Out of Service

Record of Inspection

Warning Letter

Maximum Penalties

Commencement of Civil Penalty Proceeding

Reply

Payment of Penalty

Request for Hearing

Hearing

Presiding Officer's Decision

Assessment Considerations

Appeal

Willful Violations

Failure to Pay Civil Penalty

PUBLIC UTILITY EXEMPTIONS

Purpose and Scope

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

386.1310	Exemptions for a Public Utility
386.1320	Initial Exemptions: Application and Review
386.1330	Renewals
386.1340	Expiration and Termination of an Exemption
386.1350	Appeal

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 386 "Procedures and Enforcement" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3280.

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Minimum Level of Financial Responsibility for Motor Carriers
- 2) Code Citation: 92 Ill. Adm. Code 387
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

CHAPTER I
SUBCHAPTER d
PART 387

DEPARTMENT OF TRANSPORTATION
MOTOR CARRIER SAFETY REGULATIONS
MINIMUM LEVEL OF FINANCIAL
RESPONSIBILITY FOR MOTOR CARRIERS

Section Numbers:

387.1000

387.1050

387.2000

Headings:

Purpose

Applicability

Incorporation by Reference of 49 CFR 387

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 387 "Minimum Level of Financial Responsibility for Motor Carriers" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3300.

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Motor Carrier Safety Regulations: General
- 2) Code Citation: 92 Ill. Adm. Code 390
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

CHAPTER I
SUBCHAPTER d
PART 390

DEPARTMENT OF TRANSPORTATION
MOTOR CARRIER SAFETY REGULATIONS
MOTOR CARRIER SAFETY REGULATIONS:
GENERAL

Section Numbers:
SUBPART A:

390.1000

390.1010

390.1020

390.1030

SUBPART B:

390.2000

Headings:
GENERAL APPLICABILITY AND
DEFINITIONS
Purpose
General Applicability
Definitions
Rules of Construction
GENERAL REQUIREMENTS AND
INFORMATION
Incorporation by Reference

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 390 "Motor Carrier Safety Regulations: General" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3320.

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Qualification of Drivers
- 2) Code Citation: 92 Ill. Adm. Code 391
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

CHAPTER I
SUBCHAPTER d
PART 391

DEPARTMENT OF TRANSPORTATION
MOTOR CARRIER SAFETY REGULATIONS
QUALIFICATIONS OF DRIVERS

Section Numbers:
391.1000
391.2000

Headings:
Purpose and Applicability
Incorporation by Reference of 49 CFR 391

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 391 "Qualification of Drivers" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3340.

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Driving of Commercial Motor Vehicles
- 2) Code Citation: 92 Ill. Adm. Code 392
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

CHAPTER I
SUBCHAPTER d
PART 392

DEPARTMENT OF TRANSPORTATION
MOTOR CARRIER SAFETY REGULATIONS
DRIVING OF COMMERCIAL MOTOR
VEHICLES

Section Numbers:
392.1000
392.2000

Headings:
General
Incorporation by Reference of 49 CFR 392

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 392 "Driving of Commercial Motor Vehicles" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3360.

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Parts and Accessories Necessary for Safe Operation
- 2) Code Citation: 92 Ill. Adm. Code 393
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

CHAPTER I
SUBCHAPTER d
PART 393

DEPARTMENT OF TRANSPORTATION
MOTOR CARRIER SAFETY REGULATIONS
PARTS AND ACCESSORIES NECESSARY FOR
SAFE OPERATION

Section Numbers:
393.1000
393.2000

Headings:
General
Incorporation by Reference of 49 CFR 393

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 393 "Parts and Accessories Necessary for Safe Operation" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3380.

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Hours of Service of Drivers
- 2) Code Citation: 92 Ill. Adm. Code 395
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

CHAPTER I
SUBCHAPTER d
PART 395

DEPARTMENT OF TRANSPORTATION
MOTOR CARRIER SAFETY REGULATIONS
HOURS OF SERVICE DRIVERS

Section Numbers:

395.1000
395.1500
395.2000

Headings:

Purpose and Applicability
Enforcement
Incorporation by Reference of 49 CFR 395

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 395 "Hours of Service of Drivers" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3400.

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Inspection, Repair and Maintenance
- 2) Code Citation: 92 Ill. Adm. Code 396
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

CHAPTER I
SUBCHAPTER d
PART 396

DEPARTMENT OF TRANSPORTATION
MOTOR CARRIER SAFETY REGULATIONS
INSPECTION, REPAIR AND MAINTENANCE

Section Numbers:

396.1000
396.2000
396.2010

Headings:

Purpose and Applicability
Incorporation by Reference of 49 CFR 396
Inspection of Vehicles in Operation

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 396 "Inspection, Repair and Maintenance" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3420.

DEPARTMENT OF TRANSPORTATION

NOTICE OF TRANSFER

- 1) Heading of the Part: Transportation of Hazardous Materials; Driving and Parking
- 2) Code Citation: 92 Ill. Adm. Code 397
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Transferred:

CHAPTER I
SUBCHAPTER d
PART 397

DEPARTMENT OF TRANSPORTATION
MOTOR CARRIER SAFETY REGULATIONS
TRANSPORTATION OF HAZARDOUS
MATERIALS; DRIVING AND PARKING

Section Numbers:

397.1000

397.1010

397.1020

Headings:

General

Application

Incorporation by Reference of 49 CFR 397

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 397 "Transportation of Hazardous Materials; Driving and Parking" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3440.

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

- 1) Heading of the Part: Procedures
- 2) Code Citation: 92 Ill. Adm. Code 3000
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I
SUBCHAPTER c

PART 107

Section Numbers:

SUBPART A:

107.1000

107.1010

107.1020

107.1030

107.1040

107.1050

107.1060

SUBPART B:

107.1100

107.1110

107.1120

107.1130

107.1140

107.1150

107.1160

107.1170

107.1180

107.1190

107.1200

107.1210

107.1220

107.1230

DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS
TRANSPORTATION REGULATIONS
PROCEDURES

Headings:

GENERAL PROVISIONS

Purpose and Scope

Definitions

Incorporation by Reference

Request for Confidential Treatment

Persons Holding Federal Exemptions

Service

Subpoenas

ENFORCEMENT

Responsibility for Enforcement

Purpose and Scope

Investigations

Inspection and Examination of Records and
Properties

Notice of Apparent Violation

Stopping of Vehicles

Department Review of Notice of Apparent
Violation

Warning Letter

Civil Penalties Generally

Maximum Penalties

Commencement of Civil Penalty Proceeding

Reply

Payment of Penalty

Request for Hearing

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

107.1240	Hearing
107.1250	Presiding Officer's Decision
107.1260	Assessment Considerations
107.1270	Appeal
107.1280	Failure to Pay Civil Penalty
107.1290	Compliance Orders Generally
107.1300	Notice of Probable Violation
107.1310	Reply
107.1320	Consent Order
107.1330	Hearing
107.1340	Presiding Officer's Decision
107.1350	Compliance Order For Immediate Compliance
107.1360	Appeal
107.1370	Injunctions and Other Equitable Relief
107.1380	Imminent Hazards
107.1390	Criminal Penalties Generally
107.1400	Referral for Prosecution
107.APPENDIX A	Standard Conditions Applicable to Exemptions, Packages, Containers, Shipments

5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

CHAPTER V	ILLINOIS STATE POLICE
SUBCHAPTER a	HAZARDOUS MATERIALS
	TRANSPORTATION REGULATIONS
PART 3000	PROCEDURES

Section Numbers:

SUBPART A:

3000.1000

3000.1010

3000.1020

3000.1030

3000.1040

3000.1050

3000.1060

SUBPART B:

3000.1100

3000.1110

Headings:

GENERAL PROVISIONS

Purpose and Scope

Definitions

Incorporation by Reference

Request for Confidential Treatment

Persons Holding Federal Exemptions

Service

Subpoenas

ENFORCEMENT

Responsibility for Enforcement

Purpose and Scope

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

3000.1120	Investigations
3000.1130	Inspection and Examination of Records and Properties
3000.1140	Notice of Apparent Violation
3000.1150	Stopping of Vehicles
3000.1160	Department Review of Notice of Apparent Violation
3000.1170	Warning Letter
3000.1180	Civil Penalties Generally
3000.1190	Maximum Penalties
3000.1200	Commencement of Civil Penalty Proceeding
3000.1210	Reply
3000.1220	Payment of Penalty
3000.1230	Request for Hearing
3000.1240	Hearing
3000.1250	Presiding Officer's Decision
3000.1260	Assessment Considerations
3000.1270	Appeal
3000.1280	Failure to Pay Civil Penalty
3000.1290	Compliance Orders Generally
3000.1300	Notice of Probable Violation
3000.1310	Reply
3000.1320	Consent Order
3000.1330	Hearing
3000.1340	Presiding Officer's Decision
3000.1350	Compliance Order For Immediate Compliance
3000.1360	Appeal
3000.1370	Injunctions and Other Equitable Relief
3000.1380	Imminent Hazards
3000.1390	Criminal Penalties Generally
3000.1400	Referral for Prosecution
3000.APPENDIX A	Standard Conditions Applicable to Exemptions, Packages, Containers, Shipments

6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

CHAPTER I	DEPARTMENT OF TRANSPORTATION	CHAPTER V	ILLINOIS STATE POLICE
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ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

SUBCHAPTER c HAZARDOUS
MATERIALS
TRANSPORTATION
REGULATIONS
PART 107 PROCEDURES

SUBCHAPTER a HAZARDOUS
MATERIALS
TRANSPORTATION
REGULATIONS
PART 3000 PROCEDURES

Present Sections:

SUBPART A: GENERAL
PROVISIONS
107.1000 Purpose and Scope
107.1010 Definitions
107.1020 Incorporation by
Reference
107.1030 Request for
Confidential
Treatment
107.1040 Persons Holding
Federal Exemptions
107.1050 Service
107.1060 Subpoenas
SUBPART B: ENFORCEMENT
107.1100 Responsibility for
Enforcement
107.1110 Purpose and Scope
107.1120 Investigations
107.1130 Inspection and
Examination of
Records and
Properties
107.1140 Notice of Apparent
Violation
107.1150 Stopping of Vehicles
107.1160 Department Review of
Notice of Apparent
Violation
107.1170 Warning Letter
107.1180 Civil Penalties
Generally

Recodified Sections:

SUBPART A: GENERAL
PROVISIONS
3000.1000 Purpose and Scope
3000.1010 Definitions
3000.1020 Incorporation by
Reference
3000.1030 Request for
Confidential
Treatment
3000.1040 Persons Holding
Federal Exemptions
3000.1050 Service
3000.1060 Subpoenas
SUPART B: ENFORCEMENT
3000.1070 Responsibility for
Enforcement
3000.1110 Purpose and Scope
3000.1120 Investigations
3000.1130 Inspection and
Examination of
Records and Properties
3000.1140 Notice of Apparent
Violation
3000.1150 Stopping of Vehicles
3000.1160 Department Review of
Notice of Apparent
Violation
3000.1170 Warning Letter
3000.1180 Civil Penalties
Generally

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

107.1190	Maximum Penalties	3000.1190	Maximum Penalties
107.1200	Commencement of Civil Penalty Proceeding	3000.1200	Commencement of Civil Penalty Proceeding
107.1210	Reply		Reply
107.1220	Payment of Penalty	3000.1220	Payment of Penalty
107.1230	Request for Hearing	3000.1230	Request for Hearing
107.1240	Hearing	3000.1240	Hearing
107.1250	Presiding Officer's Decision	3000.1250	Presiding Officer's Decision
107.1260	Assessment Considerations	3000.1260	Assessment Considerations
107.1270	Appeal	3000.1270	Appeal
107.1280	Failure to Pay Civil Penalty	3000.1280	Failure to Pay Civil Penalty
107.1290	Compliance Orders Generally	3000.1290	Compliance Orders Generally
107.1300	Notice of Probable Violation	3000.1300	Notice of Probable Violation
107.1310	Reply	3000.1310	Reply
107.1320	Consent Order	3000.1320	Consent Order
107.1330	Hearing	3000.1330	Hearing
107.1340	Presiding Officer's Decision	3000.1340	Presiding Officer's Decision
107.1350	Compliance Order For Immediate Compliance	3000.1350	Compliance Order For Immediate Compliance
107.1360	Appeal	3000.1360	Appeal
107.1370	Injunctions and Other Equitable Relief	3000.1370	Injunctions and Other Equitable Relief
107.1380	Imminent Hazards	3000.1380	Imminent Hazards
107.1390	Criminal Penalties Generally	3000.1390	Criminal Penalties Generally
107.1400	Referral for Prosecution	3000.1400	Referral for Prosecution
107.APPENDIX A	Standard Conditions Applicable to Exemptions, Packages, Containers, Shipments	3000.APPENDIX A	Standard Conditions Applicable to Exemptions, Packages, Containers, Shipments

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 107 "Procedures" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3000.

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

- 1) Heading of the Part: Hazardous Materials Civil Money Penalty Policy
- 2) Code Citation: 92 Ill. Adm. Code 3020
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I SUBCHAPTER c PART 108 <u>Section Numbers:</u> 108.10 108.APPENDIX A	DEPARTMENT OF TRANSPORTATION HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS HAZARDOUS MATERIALS CIVIL MONEY PENALTY POLICY <u>Headings:</u> Hazardous Materials Civil Money Penalty Policy Guidelines For the Assessment of Civil Money Penalties Under the Illinois Hazardous Materials Transportation Act and Regulations
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- 5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

CHAPTER V SUBCHAPTER a PART 3020 <u>Section Numbers:</u> 3020.10 3020.APPENDIX A	ILLINOIS STATE POLICE HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS HAZARDOUS MATERIALS CIVIL MONEY PENALTY POLICY <u>Headings:</u> Hazardous Materials Civil Money Penalty Policy Guidelines For the Assessment of Civil Money Penalties Under the Illinois Hazardous Materials Transportation Act and Regulations
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- 6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

CHAPTER I	DEPARTMENT OF TRANSPORTATION	CHAPTER V	ILLINOIS STATE POLICE
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ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

SUBCHAPTER c HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS		SUBCHAPTER a HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS	
PART 108	HAZARDOUS MATERIALS CIVIL MONEY PENALTY POLICY	PART 3020	HAZARDOUS MATERIALS CIVIL MONEY PENALTY POLICY
<u>Present Sections:</u>		<u>Recodified Sections:</u>	
108.10	Hazardous Materials Civil Money Penalty Policy	3020.1000	Hazardous Materials Civil Money Penalty Policy
108.APPENDIX A	Guidelines For the Assessment of Civil Money Penalties Under the Illinois Hazardous Materials Transportation Act and Regulations	3020.APPENDIX A	Guidelines For the Assessment of Civil Money Penalties Under the Illinois Hazardous Materials Transportation Act and Regulations

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 108 "Hazardous Materials Civil Money Penalty Policy" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3020.

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

- 1) Heading of the Part: Hazardous Materials Transportation Regulations
- 2) Code Citation: 92 Ill. Adm. Code 3040
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I
SUBCHAPTER c

PART 171

DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS
TRANSPORTATION REGULATIONS
HAZARDOUS MATERIALS
TRANSPORTATION REGULATIONS

Section Numbers:

171.1
171.2
171.3
171.4
171.5
171.6
171.7
171.8
171.9
171.12
171.13
171.14
171.15
171.17
171.18

171.19

171.21
171.22
171.1000

Headings:

Purpose and Scope (Repealed)
General Transportation Requirements (Repealed)
Hazardous Waste (Repealed)
Exemptions (Renumbered)
Agricultural Exception (Repealed)
Agricultural Exception (Renumbered)
Matter Incorporated by Reference (Repealed)
Definitions and Abbreviations (Repealed)
Rules of Construction (Repealed)
Import and Export Shipments (Repealed)
Imminent Hazard
Specification Markings (Repealed)
Incident Reporting Requirements (Repealed)
Special Permits
Continuation of Effectiveness of Existing Bureau of
Explosives Registrations (Repealed)
Approvals or Authorizations Issued by the Bureau
of Explosives (Repealed)
Retailer Exception
Agricultural Exceptions
Incorporation by Reference of 49 CFR 171

- 5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

CHAPTER V
SUBCHAPTER a

PART 3040

ILLINOIS STATE POLICE
HAZARDOUS MATERIALS
TRANSPORTATION REGULATIONS
HAZARDOUS MATERIALS
TRANSPORTATION REGULATIONS

Section Numbers:

3040.1
3040.2
3040.3
3040.4
3040.5
3040.6
3040.7
3040.8
3040.9
3040.12
3040.13
3040.14
3040.15
3040.17
3040.18

3040.19

3040.21
3040.22
3040.1000

Headings:

Purpose and Scope (Repealed)
General Transportation Requirements (Repealed)
Hazardous Waste (Repealed)
Exemptions (Renumbered)
Agricultural Exception (Repealed)
Agricultural Exception (Renumbered)
Matter Incorporated by Reference (Repealed)
Definitions and Abbreviations (Repealed)
Rules of Construction (Repealed)
Import and Export Shipments (Repealed)
Imminent Hazard
Specification Markings (Repealed)
Incident Reporting Requirements (Repealed)
Special Permits
Continuation of Effectiveness of Existing Bureau of
Explosives Registrations (Repealed)
Approvals or Authorizations Issued by the Bureau
of Explosives (Repealed)
Retailer Exception
Agricultural Exceptions
Incorporation by Reference of 49 CFR 171

6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

CHAPTER I DEPARTMENT OF
TRANSPORTATION
SUBCHAPTER c HAZARDOUS
MATERIALS
TRANSPORTATION
REGULATIONS

CHAPTER V ILLINOIS STATE
POLICE
SUBCHAPTER a HAZARDOUS
MATERIALS
TRANSPORTATION
REGULATIONS

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

PART 171	HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS	PART 3040	HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS
<u>Present Sections:</u>		<u>Recodified Sections:</u>	
171.1	Purpose and Scope (Repealed)	3040.1	Purpose and Scope (Repealed)
171.2	General Transportation Requirements (Repealed)	3040.2	General Transportation Requirements (Repealed)
171.3	Hazardous Waste (Repealed)	3040.3	Hazardous Waste (Repealed)
171.4	Exemptions (Renumbered)	3040.4	Exemptions (Renumbered)
171.5	Agricultural Exception (Repealed)	3040.5	Agricultural Exception (Repealed)
171.6	Agricultural Exception (Renumbered)	3040.6	Agricultural Exception (Renumbered)
171.7	Matter Incorporated by Reference (Repealed)	3040.7	Matter Incorporated by Reference (Repealed)
171.8	Definitions and Abbreviations (Repealed)	3040.8	Definitions and Abbreviations (Repealed)
171.9	Rules of Construction (Repealed)	3040.9	Rules of Construction (Repealed)
171.12	Import and Export Shipments (Repealed)	3040.12	Import and Export Shipments (Repealed)
171.13	Imminent Hazard	3040.13	Imminent Hazard
171.14	Specification Markings (Repealed)	3040.14	Specification Markings (Repealed)
171.15	Incident Reporting Requirements (Repealed)	3040.15	Incident Reporting Requirements (Repealed)
171.17	Special Permits	3040.17	Special Permits

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

171.18	Continuation of Effectiveness of Existing Bureau of Explosives Registrations (Repealed)	3040.18	Continuation of Effectiveness of Existing Bureau of Explosives Registrations (Repealed)
171.19	Approvals or Authorizations Issued by the Bureau of Explosives (Repealed)	3040.19	Approvals or Authorizations Issued by the Bureau of Explosives (Repealed)
171.21	Retailer Exception	3040.21	Retailer Exception
171.22	Agricultural Exceptions	3040.22	Agricultural Exceptions
171.1000	Incorporation by Reference of 49 CFR 171	3040.1000	Incorporation by Reference of 49 CFR 171

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 171 "Hazardous Materials Transportation Regulations" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3040.

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

- 1) Heading of the Part: Hazardous Materials Table and Hazardous Materials Communications
- 2) Code Citation: 92 Ill. Adm. Code 3060
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I SUBCHAPTER c PART 172 <u>Section Numbers:</u> 172.1000 172.2000 172.2215	DEPARTMENT OF TRANSPORTATION HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS HAZARDOUS MATERIALS TABLE AND HAZARDOUS MATERIALS COMMUNICATIONS <u>Headings:</u> General Incorporation by Reference of 49 CFR 172 Permanent Shipping Papers (Repealed)
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- 5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

CHAPTER V SUBCHAPTER a PART 3060 <u>Section Numbers:</u> 3060.1000 3060.2000 3060.2215	ILLINOIS STATE POLICE HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS HAZARDOUS MATERIALS TABLE AND HAZARDOUS MATERIALS COMMUNICATIONS <u>Headings:</u> General Incorporation by Reference of 49 CFR 172 Permanent Shipping Papers (Repealed)
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- 6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

CHAPTER I	DEPARTMENT OF TRANSPORTATION	CHAPTER V	ILLINOIS STATE POLICE
SUBCHAPTER c	HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS	SUBCHAPTER a	HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS
PART 172	HAZARDOUS MATERIALS TABLE AND HAZARDOUS MATERIALS COMMUNICATIONS	PART 3060	HAZARDOUS MATERIALS TABLE AND HAZARDOUS MATERIALS COMMUNICATIONS

Present Sections:

172.1000	General
172.2000	Incorporation by Reference of 49 CFR 172
172.2215	Permanent Shipping Papers (Repealed)

Recodified Sections:

3060.1000	General
3060.2000	Incorporation by Reference of 49 CFR 172
3060.2215	Permanent Shipping Papers (Repealed)

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 172 "Hazardous Materials Table and Hazardous Materials Communications" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3060.

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

- 1) Heading of the Part: Shippers General Requirements for Shipments and Packagings
- 2) Code Citation: 92 Ill. Adm. Code 3080
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I	DEPARTMENT OF TRANSPORTATION
SUBCHAPTER c	HAZARDOUS MATERIALS
	TRANSPORTATION REGULATIONS
PART 173	SHIPPERS GENERAL REQUIREMENTS FOR
	SHIPMENTS AND PACKAGINGS

Section Numbers:

173.2000

173.3000

Headings:

General

Incorporation by Reference of 49 CFR 173

- 5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

CHAPTER V	ILLINOIS STATE POLICE
SUBCHAPTER a	HAZARDOUS MATERIALS
	TRANSPORTATION REGULATIONS
PART 3080	SHIPPERS GENERAL REQUIREMENTS FOR
	SHIPMENTS AND PACKAGINGS

Section Numbers:

3080.2000

3080.3000

Headings:

General

Incorporation by Reference of 49 CFR 173

- 6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

CHAPTER I	DEPARTMENT OF	CHAPTER V	ILLINOIS STATE
	TRANSPORTATION		POLICE
SUBCHAPTER c	SHIPPERS GENERAL	SUBCHAPTER a	SHIPPERS GENERAL
	REQUIREMENTS		REQUIREMENTS FOR
	FOR SHIPMENTS		SHIPMENTS AND
	AND PACKAGINGS		PACKAGINGS

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

PART 173	PROCEDURES	PART 3080	PROCEDURES
<u>Present Sections:</u>		<u>Recodified Sections:</u>	
173.2000	General	3080.2000	General
173.3000	Incorporation by Reference of 49 CFR 173	3080.3000	Incorporation by Reference of 49 CFR 173

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 173 "Shippers General Requirements for Shipments and Packagings" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3080.

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

- 1) Heading of the Part: Carriage by Public Highway
- 2) Code Citation: 92 Ill. Adm. Code 3100
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I	DEPARTMENT OF TRANSPORTATION
SUBCHAPTER c	HAZARDOUS MATERIALS
	TRANSPORTATION REGULATIONS
PART 177	CARRIAGE BY PUBLIC HIGHWAY

Section Numbers:

177.1000

177.2000

Headings:

General

Incorporation by Reference of 49 CFR 177

- 5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

CHAPTER V	ILLINOIS STATE POLICE
SUBCHAPTER a	HAZARDOUS MATERIALS
	TRANSPORTATION REGULATIONS
PART 3100	CARRIAGE BY PUBLIC HIGHWAY

Section Numbers:

3100.1000

3100.2000

Headings:

General

Incorporation by Reference of 49 CFR 177

- 6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

CHAPTER I	DEPARTMENT OF	CHAPTER V	ILLINOIS STATE
	TRANSPORTATION		POLICE
SUBCHAPTER c	HAZARDOUS	SUBCHAPTER a	HAZARDOUS
	MATERIALS		MATERIALS
	TRANSPORTATION		TRANSPORTATION
	REGULATIONS		REGULATIONS
PART 177	CARRIAGE BY	PART 3100	CARRIAGE BY
	PUBLIC HIGHWAY		PUBLIC HIGHWAY

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

Present Sections:

177.1000	General
177.2000	Incorporation by Reference of 49 CFR 177

Recodified Sections:

3100.1000	General
3100.2000	Incorporation by Reference of 49 CFR 177

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 177 "Carriage by Public Highway" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3100.

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

- 1) Heading of the Part: Specifications for Packagings
- 2) Code Citation: 92 Ill. Adm. Code 3120
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I SUBCHAPTER c PART 178 <u>Section Numbers:</u> 178.100 178.200	DEPARTMENT OF TRANSPORTATION HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS SPECIFICATIONS FOR PACKAGINGS <u>Headings:</u> General Incorporation by Reference of 49 CFR 178
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- 5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

CHAPTER V SUBCHAPTER a PART 3120 <u>Section Numbers:</u> 3120.100 3120.200	ILLINOIS STATE POLICE HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS SPECIFICATIONS FOR PACKAGINGS <u>Headings:</u> General Incorporation by Reference of 49 CFR 178
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- 6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

CHAPTER I SUBCHAPTER c PART 178	DEPARTMENT OF TRANSPORTATION HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS SPECIFICATIONS FOR PACKAGINGS	CHAPTER V SUBCHAPTER a PART 3120	ILLINOIS STATE POLICE HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS SPECIFICATIONS FOR PACKAGINGS
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ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

Present Sections:

178.100	General
178.200	Incorporation by Reference

Recodified Sections:

3120.100	General
3120.200	Incorporation by Reference

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 178 "Specifications for Packaging" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3120.

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

- 1) Heading of the Part: Specifications for Tank Cars
- 2) Code Citation: 92 Ill. Adm. Code 3140
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I SUBCHAPTER c PART 179 <u>Section Numbers:</u> 179.1000 179.2000	DEPARTMENT OF TRANSPORTATION HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS SPECIFICATIONS FOR TANK CARS <u>Headings:</u> General Incorporation By Reference of 49 CFR 179
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- 5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

CHAPTER V SUBCHAPTER a PART 3140 <u>Section Numbers:</u> 3140.1000 3140.2000	ILLINOIS STATE POLICE HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS SPECIFICATIONS FOR TANK CARS <u>Headings:</u> General Incorporation By Reference of 49 CFR 179
---	---
- 6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

CHAPTER I SUBCHAPTER c PART 179	DEPARTMENT OF TRANSPORTATION HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS SPECIFICATIONS FOR TANK CARS	CHAPTER V SUBCHAPTER a PART 3140	ILLINOIS STATE POLICE HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS SPECIFICATIONS FOR TANK CARS
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ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

Present Sections:

179.1000	General
179.2000	Incorporation By Reference of 49 CFR 179

Recodified Sections:

3140.1000	General
3140.2000	Incorporation By Reference of 49 CFR 179

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 179 "Specifications for Tank Cars" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3140.

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

- 1) Heading of the Part: Continuing Qualification and Maintenance of Packaging
- 2) Code Citation: 92 Ill. Adm. Code 3160
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I	DEPARTMENT OF TRANSPORTATION
SUBCHAPTER c	HAZARDOUS MATERIALS
	TRANSPORTATION REGULATIONS
PART 180	CONTINUING QUALIFICATION AND
	MAINTENANCE OF PACKAGING

Section Numbers:

180.1000

180.2000

Headings:

General

Incorporation by Reference of 49 CFR 180

- 5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

CHAPTER V	ILLINOIS STATE POLICE
SUBCHAPTER a	HAZARDOUS MATERIALS
	TRANSPORTATION REGULATIONS
PART 3160	CONTINUING QUALIFICATION AND
	MAINTENANCE OF PACKAGING

Section Numbers:

3160.1000

3160.2000

Headings:

General

Incorporation by Reference of 49 CFR 180

- 6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

CHAPTER I	DEPARTMENT OF	CHAPTER V	ILLINOIS STATE
	TRANSPORTATION		POLICE
SUBCHAPTER c	HAZARDOUS	SUBCHAPTER a	HAZARDOUS
	MATERIALS		MATERIALS
	TRANSPORTATION		TRANSPORTATION
	REGULATIONS		REGULATIONS

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NOTICE OF RECODIFICATION

PART 180	CONTINUING QUALIFICATION AND MAINTENANCE OF PACKAGING	PART 3160	CONTINUING QUALIFICATION AND MAINTENANCE OF PACKAGING
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Present Sections:Recodified Sections:

SUBPART A:	GENERAL PROVISIONS	SUBPART A:	GENERAL PROVISIONS
180.1000	General	3160.1000	General
180.2000	Incorporation by Reference of 49 CFR 180	3160.2000	Incorporation by Reference of 49 CFR 180

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 180 "Continuing Qualification and Maintenance of Packaging" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3160.

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

- 1) Heading of the Part: Procedures for Transportation Workplace Drug and Alcohol Testing Programs

- 2) Code Citation: 92 Ill. Adm. Code 3180

- 3) Date of Index Department Review: October 1, 2025

- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I	DEPARTMENT OF TRANSPORTATION
SUBCHAPTER d	MOTOR CARRIER SAFETY REGULATIONS
PART 340	PROCEDURES FOR TRANSPORTATION WORKPLACE DRUG AND ALCOHOL TESTING PROGRAMS

Section Numbers:

SUBPART A:

340.1000

340.1010

Headings:

GENERAL PROVISIONS

Purpose

Incorporation by Reference of 49 CFR 40

- 5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

CHAPTER V	ILLINOIS STATE POLICE
SUBCHAPTER b	MOTOR CARRIER SAFETY REGULATIONS
PART 3180	PROCEDURES FOR TRANSPORTATION WORKPLACE DRUG AND ALCOHOL TESTING PROGRAMS

Section Numbers:

3180.1000

3180.1010

Headings:

Purpose

Incorporation by Reference of 49 CFR 40

- 6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

CHAPTER I	DEPARTMENT OF TRANSPORTATION	CHAPTER V	ILLINOIS STATE POLICE
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ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

SUBCHAPTER d	MOTOR CARRIER SAFETY REGULATIONS	SUBCHAPTER b	MOTOR CARRIER SAFETY REGULATIONS
PART 340	PROCEDURES FOR TRANSPORTATION WORKPLACE DRUG AND ALCOHOL TESTING PROGRAMS	PART 3180	PROCEDURES FOR TRANSPORTATION WORKPLACE DRUG AND ALCOHOL TESTING PROGRAMS

Present Sections:Recodified Sections:

340.1000	Purpose	3180.1000	Purpose
340.1010	Incorporation by Reference of 49 CFR 40	3180.1010	Incorporation by Reference of 49 CFR 40

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 340 "Procedures for Transportation Workplace Drug and Alcohol Testing Programs" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3180.

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

- 1) Heading of the Part: Special Training Requirements
- 2) Code Citation: 92 Ill. Adm. Code 3200
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I SUBCHAPTER d PART 380 <u>Section Numbers:</u> 380.1000 380.1010 380.1020	DEPARTMENT OF TRANSPORTATION MOTOR CARRIER SAFETY REGULATIONS SPECIAL TRAINING REQUIREMENTS <u>Headings:</u> Purpose Definitions Incorporation by Reference of 49 CFR 380
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- 5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

CHAPTER V SUBCHAPTER b PART 3200 <u>Section Numbers:</u> 3200.1000 3200.1010 3200.1020	ILLINOIS STATE POLICE MOTOR CARRIER SAFETY REGULATIONS SPECIAL TRAINING REQUIREMENTS <u>Headings:</u> Purpose Definitions Incorporation by Reference of 49 CFR 380
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- 6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

CHAPTER I SUBCHAPTER d PART 380	DEPARTMENT OF TRANSPORTATION MOTOR CARRIER SAFETY REGULATIONS SPECIAL TRAINING REQUIREMENTS	CHAPTER V SUBCHAPTER b PART 3200	ILLINOIS STATE POLICE MOTOR CARRIER SAFETY REGULATIONS SPECIAL TRAINING REQUIREMENTS
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NOTICE OF RECODIFICATION

Present Sections:

380.1000	Purpose
380.1010	Definitions
380.1020	Incorporation by Reference of 49 CFR 380

Recodified Sections:

3200.1000	Purpose
3200.1010	Definitions
3200.1020	Incorporation by Reference of 49 CFR 380

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 380 "Special Training Requirements" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3200.

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NOTICE OF RECODIFICATION

- 1) Heading of the Part: Controlled Substance and Alcohol Use and Testing
- 2) Code Citation: 92 Ill. Adm. Code 3220
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I SUBCHAPTER d PART 382	DEPARTMENT OF TRANSPORTATION MOTOR CARRIER SAFETY REGULATIONS CONTROLLED SUBSTANCE AND ALCOHOL USE AND TESTING
<u>Section Numbers:</u> 382.1000 382.1010	<u>Headings:</u> Purpose and Applicability Incorporation by Reference of CFR 382
- 5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

CHAPTER V SUBCHAPTER b PART 3220	ILLINOIS STATE POLICE MOTOR CARRIER SAFETY REGULATIONS CONTROLLED SUBSTANCE AND ALCOHOL USE AND TESTING
<u>Section Numbers:</u> 3220.1000 3220.1010	<u>Headings:</u> Purpose and Applicability Incorporation by Reference of CFR 382
- 6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

CHAPTER I	DEPARTMENT OF TRANSPORTATION	CHAPTER V	ILLINOIS STATE POLICE
SUBCHAPTER d	MOTOR CARRIER SAFETY REGULATIONS	SUBCHAPTER b	MOTOR CARRIER SAFETY REGULATIONS
PART 382	CONTROLLED SUBSTANCE AND	PART 3220	CONTROLLED SUBSTANCE AND

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NOTICE OF RECODIFICATION

ALCOHOL USE AND
TESTINGALCOHOL USE AND
TESTINGPresent Sections:Recodified Sections:

382.1000	Purpose and Applicability	3220.1000	Purpose and Applicability
382.1010	Incorporation by Reference of CFR 382	3220.1010	Incorporation by Reference of CFR 382

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 382 "Controlled Substance and Alcohol Use and Testing" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3220.

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

1) Heading of the Part: Commercial Driver's License Standards; Requirements and Penalties

2) Code Citation: 92 Ill. Adm. Code 3240

3) Date of Index Department Review: October 1, 2025

4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I	DEPARTMENT OF TRANSPORTATION
SUBCHAPTER d	MOTOR CARRIER SAFETY REGULATIONS
PART 383	COMMERCIAL DRIVER'S LICENSE STANDARDS; REQUIREMENTS AND PENALTIES

Section Numbers:

383.1000

383.1010

Headings:

Purpose and Applicability

Incorporation by Reference of 49 CFR 383

5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

CHAPTER V	ILLINOIS STATE POLICE
SUBCHAPTER b	MOTOR CARRIER SAFETY REGULATIONS
PART 3240	COMMERCIAL DRIVER'S LICENSE STANDARDS; REQUIREMENTS AND PENALTIES

Section Numbers:

3240.1000

3240.1010

Headings:

Purpose and Applicability

Incorporation by Reference of 49 CFR 383

6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

CHAPTER I	DEPARTMENT OF TRANSPORTATION	CHAPTER V	ILLINOIS STATE POLICE
SUBCHAPTER d	MOTOR CARRIER SAFETY REGULATIONS	SUBCHAPTER b	MOTOR CARRIER SAFETY REGULATIONS

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PART 383	COMMERCIAL DRIVER'S LICENSE STANDARDS; REQUIREMENTS AND PENALTIES	PART 3240	COMMERCIAL DRIVER'S LICENSE STANDARDS; REQUIREMENTS AND PENALTIES
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Present Sections:Recodified Sections:

383.1000	Purpose and Applicability	3240.1000	Purpose and Applicability
383.1010	Incorporation by Reference of 49 CFR 383	3240.1010	Incorporation by Reference of 49 CFR 383

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 383 "Commercial Driver's License Standards; Requirements and Penalties" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3240.

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NOTICE OF RECODIFICATION

- 1) Heading of the Part: Safety Fitness Procedures
- 2) Code Citation: 92 Ill. Adm. Code 3260
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I SUBCHAPTER d PART 385 <u>Section Numbers:</u> SUBPART A: 385.1000 385.1010 385.1020 SUBPART B: 385.2000	DEPARTMENT OF TRANSPORTATION MOTOR CARRIER SAFETY REGULATIONS SAFETY FITNESS PROCEDURES <u>Headings:</u> GENERAL REQUIREMENTS Purpose Definitions Unsatisfactor Rated Motor Carriers HAZARDOUS MATERIALS SAFETY PERMITS AND INTERMODAL EQUIPMENT PROVIDERS Incorporation by Reference of 49 CFR 385, subpart E and subpart F
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- 5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

CHAPTER V SUBCHAPTER b PART 3260 <u>Section Numbers:</u> SUBPART A: 3260.1000 3260.1010 3260.1020 SUBPART B: 3260.2000	ILLINOIS STATE POLICE MOTOR CARRIER SAFETY REGULATIONS SAFETY FITNESS PROCEDURES <u>Headings:</u> GENERAL REQUIREMENTS Purpose Definitions Unsatisfactory Rated Motor Carriers HAZARDOUS MATERIALS SAFETY PERMITS AND INTERMODAL EQUIPMENT PROVIDERS Incorporation by Reference of 49 CFR 385, subpart E and subpart F
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NOTICE OF RECODIFICATION

6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

CHAPTER I	DEPARTMENT OF TRANSPORTATION	CHAPTER V	ILLINOIS STATE POLICE
SUBCHAPTER d	MOTOR CARRIER SAFETY REGULATIONS	SUBCHAPTER b	MOTOR CARRIER SAFETY REGULATIONS
PART 385	SAFETY FITNESS PROCEDURES	PART 3260	SAFETY FITNESS PROCEDURES

Present Sections:Recodified Sections:

SUBPART A:	GENERAL REQUIREMENTS	SUBPART A:	GENERAL REQUIREMENTS
385.1000	Purpose and Scope	3260.1000	Purpose and Scope
385.1010	Definitions	3260.1010	Definitions
385.1020	Unsatisfactory Rated Motor Carriers	3260.1020	Unsatisfactory Rated Motor Carriers
SUBPART B:	HAZARDOUS MATERIALS SAFETY PERMITS AND INTERMODAL EQUIPMENT PROVIDERS	SUPART B:	HAZARDOUS MATERIALS SAFETY PERMITS AND INTERMODAL EQUIPMENT PROVIDERS
385.2000	Incorporation by Reference of 49 CFR 385, subpart E and subpart F	3260.2000	Incorporation by Reference of 49 CFR 385, subpart E and subpart F

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 385 "Safety Fitness Procedures" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3260.

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NOTICE OF RECODIFICATION

- 1) Heading of the Part: Procedures and Enforcement
- 2) Code Citation: 92 Ill. Adm. Code 3280
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I
SUBCHAPTER d
PART 386

DEPARTMENT OF TRANSPORTATION
MOTOR CARRIER SAFETY REGULATIONS
PROCEDURES AND ENFORCEMENT

Section Numbers:

SUBPART A

386.1000

386.1010

386.1020

386.1030

386.1035

SUBPART B

386.1040

386.1050

386.1060

386.1070

386.1080

386.1090

386.1110

386.1120

386.1130

386.1140

386.1150

386.1160

386.1170

386.1180

386.1190

386.1200

386.1210

SUBPART C

386.1300

Headings:

GENERAL PROVISIONS

Scope

Definitions

Service

Subpoenas

Incorporation by Reference

ENFORCEMENT

Responsibility for Enforcement

Investigations

Inspection of Records and Motor Vehicles

Out of Service

Record of Inspection

Warning Letter

Maximum Penalties

Commencement of Civil Penalty Proceeding

Reply

Payment of Penalty

Request for Hearing

Hearing

Presiding Officer's Decision

Assessment Considerations

Appeal

Willful Violations

Failure to Pay Civil Penalty

PUBLIC UTILITY EXEMPTIONS

Purpose and Scope

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

386.1310	Exemptions for a Public Utility
386.1320	Initial Exemptions: Application and Review
386.1330	Renewals
386.1340	Expiration and Termination of an Exemption
386.1350	Appeal

5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

CHAPTER V	ILLINOIS STATE POLICE
SUBCHAPTER b	MOTOR CARRIER SAFETY REGULATIONS
PART 3280	PROCEDURES AND ENFORCEMENT

Section Numbers:

SUBPART A

3280.1000

3280.1010

3280.1020

3280.1030

3280.1035

SUBPART B

3280.1040

3280.1050

3280.1060

3280.1070

3280.1080

3280.1090

3280.1110

3280.1120

3280.1130

3280.1140

3280.1150

3280.1160

3280.1170

3280.1180

3280.1190

3280.1200

3280.1210

SUBPART C

3280.1300

Headings:

GENERAL PROVISIONS

Scope

Definitions

Service

Subpoenas

Incorporation by Reference

ENFORCEMENT

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Reply

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Request for Hearing

Hearing

Presiding Officer's Decision

Assessment Considerations

Appeal

Willful Violations

Failure to Pay Civil Penalty

PUBLIC UTILITY EXEMPTIONS

Purpose and Scope

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

3280.1310	Exemptions for a Public Utility
3280.1320	Initial Exemptions: Application and Review
3280.1330	Renewals
3280.1340	Expiration and Termination of an Exemption
3280.1350	Appeal

6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

CHAPTER I	DEPARTMENT OF TRANSPORTATION	CHAPTER V	ILLINOIS STATE POLICE
SUBCHAPTER d	MOTOR CARRIER SAFETY REGULATIONS	SUBCHAPTER B	MOTOR CARRIER SAFETY REGULATIONS
PART 386	PROCEDURES AND ENFORCEMENT	PART 3280	PROCEDURES AND ENFORCEMENT

Present Sections:Recodified Sections:

SUBPART A	GENERAL PROVISIONS	SUBPART A	GENERAL PROVISIONS
386.1000	Scope	3280.1000	Scope
386.1010	Definitions	3280.1010	Definitions
386.1020	Service	3280.1020	Service
386.1030	Subpoenas	3280.1030	Subpoenas
386.1035	Incorporation by Reference	3280.1035	Incorporation by Reference
SUBPART B	ENFORCEMENT	SUBPART B	ENFORCEMENT
386.1040	Responsibility for Enforcement	3280.1040	Responsibility for Enforcement
386.1050	Investigations	3280.1050	Investigations
386.1060	Inspection of Records and Motor Vehicles	3280.1060	Inspection of Records and Motor Vehicles
386.1070	Out of Service	3280.1070	Out of Service
386.1080	Record of Inspection	3280.1080	Record of Inspection
386.1090	Warning Letter	3280.1090	Warning Letter
386.1100	Maximum Penalties	3280.1100	Maximum Penalties

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NOTICE OF RECODIFICATION

386.1120	Commencement of Civil Penalty Proceeding	3280.1120	Commencement of Civil Penalty Proceeding
386.1130	Reply	3280.1130	Reply
386.1140	Payment of Penalty	3280.1140	Payment of Penalty
386.1150	Request for Hearing	3280.1150	Request for Hearing
386.1160	Hearing	3280.1160	Hearing
386.1170	Presiding Officer's Decision	3280.1170	Presiding Officer's Decision
386.1180	Assessment Considerations	3280.1180	Assessment Considerations
386.1190	Appeal	3280.1190	Appeal
386.1200	Willful Violations	3280.1200	Willful Violations
386.1210	Failure to Pay Civil Penalty	3280.1210	Failure to Pay Civil Penalty
SUBPART C	PUBLIC UTILITY EXEMPTIONS	SUBPART C	PUBLIC UTILITY EXEMPTIONS
386.1300	Purpose and Scope	3280.1300	Purpose and Scope
386.1310	Exemptions for a Public Utility	3280.1310	Exemptions for a Public Utility
386.1320	Initial Exemptions: Application and Review	3280.1320	Initial Exemptions: Application and Review
386.1330	Renewals	3280.1330	Renewals
386.1340	Expiration and Termination of an Exemption	3280.1340	Expiration and Termination of an Exemption
386.1350	Appeal	3280.1350	Appeal

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 386 "Procedures and Enforcement" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3280.

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NOTICE OF RECODIFICATION

- 1) Heading of the Part: Minimum Levels of Financial Responsibility for Motor Carriers
- 2) Code Citation: 92 Ill. Adm. Code 3300
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I	DEPARTMENT OF TRANSPORTATION
SUBCHAPTER d	MOTOR CARRIER SAFETY REGULATIONS
PART 387	MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MOTOR CARRIERS

Section Numbers:

387.1000

387.1050

387.2000

Headings:

Purpose

Applicability

Incorporation by Reference of 49 CFR 387

- 5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

CHAPTER V	ILLINOIS STATE POLICE
SUBCHAPTER b	MOTOR CARRIER SAFETY REGULATIONS
PART 3300	MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MOTOR CARRIERS

Section Numbers:

3300.1000

3300.1050

3300.2000

Headings:

Purpose

Applicability

Incorporation by Reference of 49 CFR 387

- 6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

CHAPTER I	DEPARTMENT OF TRANSPORTATION	CHAPTER V	ILLINOIS STATE POLICE
SUBCHAPTER d	MOTOR CARRIER SAFETY REGULATIONS	SUBCHAPTER b	MOTOR CARRIER SAFETY REGULATIONS
PART 387	MINIMUM LEVELS	PART 3300	MINIMUM LEVELS

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NOTICE OF RECODIFICATION

OF FINANCIAL
RESPONSIBILITY
FOR MOTOR
CARRIERS
REGULATIONS

OF FINANCIAL
RESPONSIBILITY
FOR MOTOR
CARRIERS
REGULATIONS

Present Sections:

387.1000	Purpose
387.1050	Applicability
387.2000	Incorporation by Reference of 49 CFR 387

Recodified Sections:

3300.1000	Purpose
3300.1050	Applicability
3300.2000	Incorporation by Reference of 49 CFR 387

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 387 "Minimum Levels of Financial Responsibility for Motor Carriers" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3300.

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NOTICE OF RECODIFICATION

- 1) Heading of the Part: Motor Carrier Safety Regulations: General
- 2) Code Citation: 92 Ill. Adm. Code 3320
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I SUBCHAPTER d PART 390	DEPARTMENT OF TRANSPORTATION MOTOR CARRIER SAFETY REGULATIONS MOTOR CARRIER SAFETY REGULATIONS: GENERAL
<u>Section Numbers:</u> SUBPART A: 390.1000 390.1010 390.1020 390.1030 SUBPART B: 390.2000	<u>Headings:</u> GENERAL APPLICABILITY AND DEFINITIONS Purpose General Applicability Definitions Rules of Construction GENERAL REQUIREMENTS AND INFORMATION Incorporation by Reference
- 5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

CHAPTER V SUBCHAPTER b PART 3320	ILLINOIS STATE POLICE MOTOR CARRIER SAFETY REGULATIONS MOTOR CARRIER SAFETY REGULATIONS: GENERAL
<u>Section Numbers:</u> SUBPART A: 3320.1000 3320.1010 3320.1020 3320.1030 SUBPART B:	<u>Headings:</u> GENERAL APPLICABILITY AND DEFINITIONS Purpose General Applicability Definitions Rules of Construction GENERAL REQUIREMENTS AND

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INFORMATION

3320.2000

Incorporation by Reference

6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

CHAPTER I	DEPARTMENT OF TRANSPORTATION	CHAPTER V	ILLINOIS STATE POLICE
SUBCHAPTER d	MOTOR CARRIER SAFETY REGULATIONS	SUBCHAPTER b	MOTOR CARRIER SAFETY REGULATIONS
PART 390	MOTOR CARRIER SAFETY REGULATIONS: GENERAL	PART 3320	MOTOR CARRIER SAFETY REGULATIONS: GENERAL

Present Sections:Recodified Sections:

SUBPART A:	GENERAL APPLICABILITY AND DEFINITIONS	SUBPART A:	GENERAL APPLICABILITY AND DEFINITIONS
390.1000	Purpose	3320.1000	Purpose
390.1010	General Applicability	3320.1010	General Applicability
390.1020	Definitions	3320.1020	Definitions
390.1030	Rules of Construction	3320.1030	Rules of Construction
SUBPART B:	GENERAL REQUIREMENTS AND INFORMATION	SUBPART B:	GENERAL REQUIREMENTS AND INFORMATION
390.2000	Incorporation by Reference	3320.2000	Incorporation by Reference

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 390 "Motor Carrier Safety Regulations: General" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3320.

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

- 1) Heading of the Part: Qualification of Drivers
- 2) Code Citation: 92 Ill. Adm. Code 3340
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I SUBCHAPTER d PART 391	DEPARTMENT OF TRANSPORTATION MOTOR CARRIER SAFETY REGULATIONS QUALIFICATION OF DRIVERS
<u>Section Numbers:</u> 391.1000 391.2000	<u>Headings:</u> Purpose and Applicability Incorporation By Reference of 49 CFR 391
- 5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

CHAPTER V SUBCHAPTER b PART 3340	ILLINOIS STATE POLICE MOTOR CARRIER SAFETY REGULATIONS QUALIFICATION OF DRIVERS
<u>Section Numbers:</u> 3340.1000 3340.2000	<u>Headings:</u> Purpose and Applicability Incorporation By Reference of 49 CFR 391
- 6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

CHAPTER I	DEPARTMENT OF TRANSPORTATION	CHAPTER V	ILLINOIS STATE POLICE
SUBCHAPTER d	MOTOR CARRIER SAFETY REGULATIONS	SUBCHAPTER b	MOTOR CARRIER SAFETY REGULATIONS
PART 391	QUALIFICATION OF DRIVERS	PART 3340	QUALIFICATION OF DRIVERS
<u>Present Sections:</u>		<u>Recodified Sections:</u>	

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

391.1000	Purpose and Applicability	3340.1000	Purpose and Applicability
391.2000	Incorporation By Reference of 49 CFR 391	3340.2000	Incorporation By Reference of 49 CFR 391

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 391 "Qualification of Drivers" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3340.

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

- 1) Heading of the Part: Driving of Commercial Motor Vehicles
- 2) Code Citation: 92 Ill. Adm. Code 3360
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I SUBCHAPTER d PART 392	DEPARTMENT OF TRANSPORTATION MOTOR CARRIER SAFETY REGULATIONS DRIVING OF COMMERCIAL MOTOR VEHICLES
<u>Section Numbers:</u> 392.1000 392.2000	<u>Headings:</u> General Incorporation by Reference of 49 CFR 392
- 5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

CHAPTER V SUBCHAPTER b PART 3360	ILLINOIS STATE POLICE MOTOR CARRIER SAFETY REGULATIONS DRIVING OF COMMERCIAL MOTOR VEHICLES
<u>Section Numbers:</u> 3360.1000 3360.2000	<u>Headings:</u> General Incorporation by Reference of 49 CFR 392
- 6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

CHAPTER I	DEPARTMENT OF TRANSPORTATION	CHAPTER V	ILLINOIS STATE POLICE
SUBCHAPTER d	MOTOR CARRIER SAFETY REGULATIONS	SUBCHAPTER b	MOTOR CARRIER SAFETY REGULATIONS
PART 392	DRIVING OF COMMERCIAL MOTOR VEHICLES	PART 3360	DRIVING OF COMMERCIAL MOTOR VEHICLES

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

Present Sections:

392.1000	General
392.2000	Incorporation by Reference of 49 CFR 392

Recodified Sections:

3360.1000	General
3360.2000	Incorporation by Reference of 49 CFR 392

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 392 "Driving of Commercial Motor Vehicles" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3360.

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

- 1) Heading of the Part: Parts and Accessories Necessary for Safe Operation
- 2) Code Citation: 92 Ill. Adm. Code 3380
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I SUBCHAPTER d PART 393	DEPARTMENT OF TRANSPORTATION MOTOR CARRIER SAFETY REGULATIONS PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION
<u>Section Numbers:</u> 393.1000 393.2000	<u>Headings:</u> General Incorporation by Reference of 49 CFR 393
- 5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

CHAPTER V SUBCHAPTER b PART 3380	ILLINOIS STATE POLICE MOTOR CARRIER SAFETY REGULATIONS PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION
<u>Section Numbers:</u> 3380.1000 3380.2000	<u>Headings:</u> General Incorporation by Reference of 49 CFR 393
- 6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

CHAPTER I	DEPARTMENT OF TRANSPORTATION	CHAPTER V	ILLINOIS STATE POLICE
SUBCHAPTER d	MOTOR CARRIER SAFETY REGULATIONS	SUBCHAPTER b	MOTOR CARRIER SAFETY REGULATIONS
PART 393	PARTS AND ACCESSORIES	PART 3380	PARTS AND ACCESSORIES

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

NECESSARY FOR
SAFE OPERATIONNECESSARY FOR
SAFE OPERATIONPresent Sections:Recodified Sections:393.1000
393.2000General
Incorporation by
Reference of 49 CFR
3933380.1000
3380.2000General
Incorporation by
Reference of 49 CFR
393

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 393 "Parts and Accessories Necessary for Safe Operation" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3380.

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

- 1) Heading of the Part: Hours of Service of Drivers
- 2) Code Citation: 92 Ill. Adm. Code 3400
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I SUBCHAPTER d PART 395	DEPARTMENT OF TRANSPORTATION MOTOR CARRIER SAFETY REGULATIONS HOURS OF SERVICE OF DRIVERS
<u>Section Numbers:</u> 395.1000 395.1500 395.2000	<u>Headings:</u> Purpose and Applicability Enforcement Incorporation by Reference of 49 CFR 395
- 5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

CHAPTER V SUBCHAPTER b PART 3400	ILLINOIS STATE POLICE MOTOR CARRIER SAFETY REGULATIONS HOURS OF SERVICE OF DRIVERS
<u>Section Numbers:</u> 3400.1000 3400.1500 3400.2000	<u>Headings:</u> Purpose and Applicability Enforcement Incorporation by Reference of 49 CFR 395
- 6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

CHAPTER I	DEPARTMENT OF TRANSPORTATION	CHAPTER V	ILLINOIS STATE POLICE
SUBCHAPTER d	MOTOR CARRIER SAFETY REGULATIONS	SUBCHAPTER b	MOTOR CARRIER SAFETY REGULATIONS
PART 395	HOURS OF SERVICE OF DRIVERS	PART 3400	HOURS OF SERVICE OF DRIVERS

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

Present Sections:

395.1000	Purpose and Applicability
395.1500	Enforcement
395.2000	Incorporation by Reference of 49 CFR 395

Recodified Sections:

3400.1000	Purpose and Applicability
3400.1500	Enforcement
3400.2000	Incorporation by Reference of 49 CFR 395

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 395 "Hours of Service of Drivers" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3400.

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

- 1) Heading of the Part: Inspection, Repair and Maintenance
- 2) Code Citation: 92 Ill. Adm. Code 3420
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I SUBCHAPTER d PART 396	DEPARTMENT OF TRANSPORTATION MOTOR CARRIER SAFETY REGULATIONS INSPECTION, REPAIR AND MAINTENANCE
<u>Section Numbers:</u> 396.1000 396.2000 396.2010	<u>Headings:</u> Purpose and Applicability Incorporation by Reference of 49 CFR 396 Inspection of Vehicles in Operation
- 5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

CHAPTER V SUBCHAPTER b PART 3420	ILLINOIS STATE POLICE MOTOR CARRIER SAFETY REGULATIONS INSPECTION, REPAIR AND MAINTENANCE
<u>Section Numbers:</u> 3420.1000 3420.2000 3420.2010	<u>Headings:</u> Purpose and Applicability Incorporation by Reference of 49 CFR 396 Inspection of Vehicles in Operation
- 6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

CHAPTER I SUBCHAPTER d PART 396	DEPARTMENT OF TRANSPORTATION MOTOR CARRIER SAFETY REGULATIONS INSPECTION, REPAIR AND MAINTENANCE	CHAPTER V SUBCHAPTER b PART 3420	ILLINOIS STATE POLICE MOTOR CARRIER SAFETY REGULATIONS INSPECTION, REPAIR AND MAINTENANCE
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ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

Present Sections:Recodified Sections:

396.1000	Purpose and Applicability	3420.1000	Purpose and Applicability
396.2000	Incorporation by Reference of 49 CFR 396	3420.2000	Incorporation by Reference of 49 CFR 396
396.2010	Inspection of Vehicles in Operation	3420.2010	Inspection of Vehicles in Operation

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 396 "Inspection, Repair and Maintenance" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3420.

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

- 1) Heading of the Part: Transportation of Hazardous Materials; Driving and Parking
- 2) Code Citation: 92 Ill. Adm. Code 3440
- 3) Date of Index Department Review: October 1, 2025
- 4) Headings and Chapter, Subchapter, Part, and Section Numbers Being Recodified:

CHAPTER I	DEPARTMENT OF TRANSPORTATION
SUBCHAPTER d	MOTOR CARRIER SAFETY REGULATIONS
PART 397	TRANSPORTATION OF HAZARDOUS MATERIALS; DRIVING AND PARKING

Section Numbers:

397.1000

397.1010

397.1020

Headings:

General

Applications

Incorporation By Reference of 49 CFR 397

- 5) Outline of the Chapter, Subchapter, Part, Section Numbers and Headings as Recodified:

CHAPTER V	ILLINOIS STATE POLICE
SUBCHAPTER b	MOTOR CARRIER SAFETY REGULATIONS
PART 3440	TRANSPORTATION OF HAZARDOUS MATERIALS; DRIVING AND PARKING

Section Numbers:

3440.1000

3440.1010

3440.1020

Headings:

General

Applications

Incorporation By Reference of 49 CFR 397

- 6) Conversion Table of Present and Recodified Chapter, Subchapter, Part, Section Numbers, and Headings:

CHAPTER I	DEPARTMENT OF	CHAPTER V	ILLINOIS STATE
	TRANSPORTATION		POLICE
SUBCHAPTER d	MOTOR CARRIER	SUBCHAPTER b	MOTOR CARRIER
	SAFETY		SAFETY
	REGULATIONS		REGULATIONS

ILLINOIS STATE POLICE

NOTICE OF RECODIFICATION

PART 397	TRANSPORTATION OF HAZARDOUS MATERIALS; DRIVING AND PARKING	PART 3440	TRANSPORTATION OF HAZARDOUS MATERIALS; DRIVING AND PARKING
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Present Sections:

397.1000	General
397.1010	Applications
397.1020	Incorporation By Reference of 49 CFR 397

Recodified Sections:

3440.1000	General
3440.1010	Applications
3440.1020	Incorporation By Reference of 49 CFR 397

Pursuant to the changes made to the State Finance Act [30 ILCS 105], the Liquefied Petroleum Gas Regulation Act [430 ILCS 5], the Illinois Hazardous Materials Transportation Act [430 ILCS 30], and the Illinois Vehicle Code [625 ILCS 5] by Public Act 104-0025, 92 Ill. Adm. Code 397 "Transportation of Hazardous Materials; Driving and Parking" is transferred from the authority of the Illinois Department of Transportation to the authority of the Illinois State Police and recodified at 92 Ill. Adm. Code 3440.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

SECOND NOTICES RECEIVED

The following second notices were received during the period of September 16, 2025 through September 22, 2025. These rulemakings are scheduled for the October 14, 2025 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
10/30/25	<u>Department of Transportation</u> , Administrative Requirements for Official Testing Stations (92 Ill. Adm. Code 451)	6/13/25 49 Ill. Reg. 8127	10/14/25
10/25/25	<u>Department of Financial and Professional Regulation</u> , Uniform Money Transmission Modernization Act (38 Ill. Adm. Code 207)	7/18/25 49 Ill. Reg. 9306	10/14/25
10/25/25	<u>Department of Financial and Professional Regulation</u> , Licensing and Regulation of Pawnbrokers (38 Ill. Adm. Code 360)	7/18/25 49 Ill. Reg. 9311	10/14/25
11/2/25	<u>Department of Financial and Professional Regulation</u> , Collection Agency Act (38 Ill. Adm. Code 150)	7/25/25 49 Ill. Reg. 9692	10/14/25
10/19/25	<u>Department of Financial and Professional Regulation</u> , Consumer Legal Funding Act (38 Ill. Adm. Code 170)	3/28/25 49 Ill. Reg. 3743	10/14/25
10/22/25	<u>Department of Human Services</u> , Early Intervention Program (89 Ill. Adm. Code 500)	6/13/25 49 Ill. Reg. 8044	10/14/25
10/19/25	<u>State Board of Education</u> , Requirements for Accounting, Budgeting, Financial	5/23/25 49 Ill. Reg. 7107	10/14/25

JOINT COMMITTEE ON ADMINISTRATIVE RULES

SECOND NOTICES RECEIVED

Reporting, and Auditing (23 Ill. Adm.
Code 100)

10/23/25

Department of Public Health, Hospital
Licensing Requirements (77 Ill. Adm.
Code 250)

6/13/25

49 Ill. Reg.
8063

10/14/25

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF OBJECTION
TO EMERGENCY RULEMAKING

DEPARTMENT OF CORRECTIONS

Heading of the Part: Rights and PrivilegesCode Citation: 20 Ill. Adm. Code 525Section Numbers: 525.110 525.202
525.140 525.210
525.145Date Originally Published in the *Illinois Register*: 8/29/25
49 Ill. Reg. 10945

At its meeting on September 16, 2025, the Joint Committee on Administrative Rules objected to the Department of Corrections' use of emergency rulemaking to adopt rules titled Rights and Privileges (20 Ill. Adm. Code 525; 49 Ill. Reg. 10945 - 8/29/25) because this emergency rule fails to meet the criteria of 1 Ill. Adm. Code 230.400(a)(1)(A), (D), and (E), 1 Ill. Adm. Code 230.400(a)(2)(B), and 1 Ill. Adm. Code 230.400(a)(3)(E). The Department has not demonstrated that an emergency situation exists that requires adoption of the rule upon fewer days' notice than is required by the proposed rulemaking process. This emergency rule was effective on August 14, 2025, but the Department indicated that it did not intend to implement the major provisions until September 15, 2025, with full implementation not occurring for at least six months thereafter. Section 5-45(b) of the Illinois Administrative Procedure Act [5 ILCS 100] requires that emergency rules become effective immediately or not less than 10 days after filing. Additionally, the emergency rule does not include standards for the exercise of discretionary authority. The emergency rule states that the Department "may" implement electronic mail processing, "may" implement a multi-factor authentication system for privileged mail, and that the Director "may" exclude any mail from electronic processing. The emergency rule contains no details as to the factors the Department will consider when determining whether or not to exercise the authority it created for itself. The emergency rule is also not limited to those matters that are required to meet the emergency situation as it contains a prohibition on used or altered publications that has apparently been enforced through Department policy for at least 10 years. The Department has not taken steps to make the emergency rule known to those persons who may be affected by it. To date, no public communication regarding when the Department will implement mail scanning, multi-factor authentication, or the changes to publication rules has

been issued, and therefore there is no way for the public to know when each provision will actually take effect. Finally, the language of the emergency rule is not simple or clear so that the rule can reasonably understood by the groups they affect. The rule is ambiguously worded to allow the Department to electronically process privileged mail, subject outgoing privileged mail to the multi-factor authentication process, and prohibit publications that are "altered from their original state".

ILLINOIS ADMINISTRATIVE CODE

Issue Index - With Effective Dates

Rules acted upon in Volume 49, Issue 40 are listed in the Issues Index by Title number, Part number, Volume and Issue. Inquiries about the Issue Index may be directed to the Administrative Code Division at (217) 782-7017/18.

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